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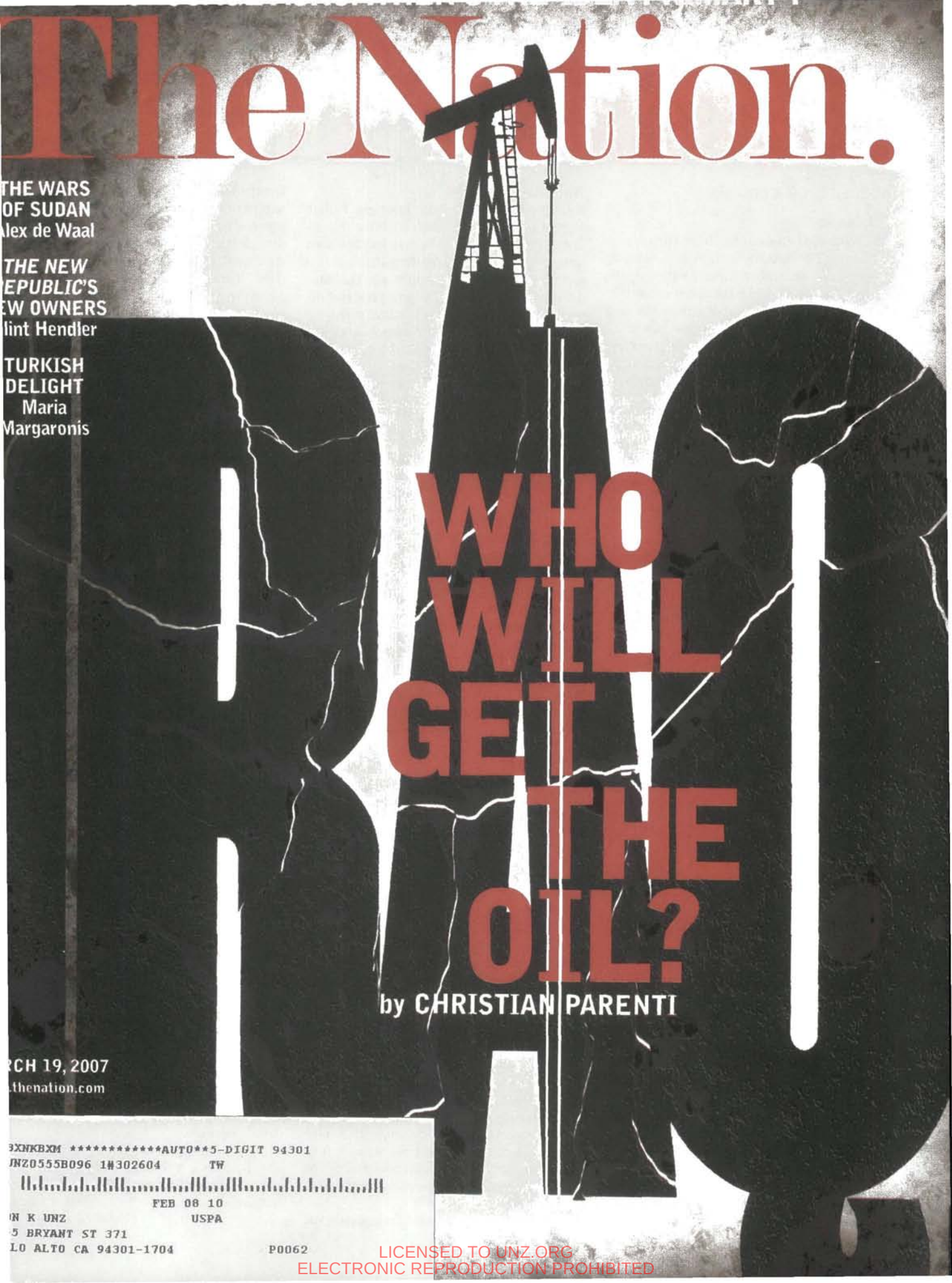

WHO WILL GET THE OIL?

by CHRISTIAN PARENTI

RCH 19, 2007
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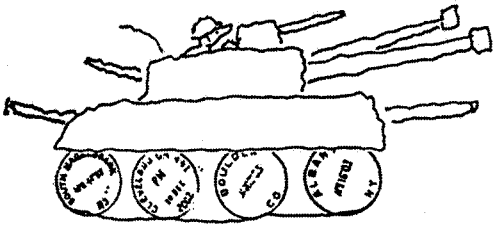

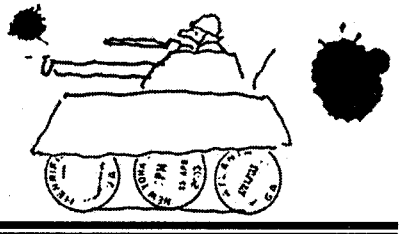

R O RIECHMAN

CRUISIN' FOR A BRUISIN'

Claremont, Calif.

■ I've noticed an uncomfortable coincidence regarding *The Nation*'s Tenth Annual Seminar Cruise. The Oosterdam leaves Seattle July 28, bound for the Alaskan coast. On board will be such liberal luminaries as Ralph Nader and Richard Dreyfuss. Meanwhile, the Noordam leaves Seattle July 29, also bound for the Alaskan coast, hosting *National Review*'s Annual Seminar Cruise, and on board will be such conservative luminaries as Dick Morris and Robert Bork. For almost the entire itinerary (Juneau, Ketchikan, Victoria), the *National Review* ship will be exactly one day behind the *Nation* ship. I understand this is a long shot, but is there any way you guys could make Nader and Bork fight shirtless on the deck of one of the ships? SAM MCPHEETERS

We knew about this ships-not-passing-in-the-night (you'll note who's out in front and who's struggling to catch up) and asked if we could arrange a liaison. The fighting shirtless idea is brilliant! Alas, no way we can hook up. —The Editors

IMPEACH, IMPEACH, IMPEACH

Our February 12 Impeachment articles, Elizabeth Holtzman's "The Case in Favor" and Sanford Levinson's "The Case Against," surged our mail. It ran overwhelmingly in favor of Holtzman's case for the impeachment of the President and overwhelmingly against Levinson's case for dropping the idea. —The Editors

Englewood, Fla.

■ I vote for impeachment. BARBARA BAILEY

Phoenix

■ You have my vote! REV. SARAH GARNER

Hollywood, Fla.

■ Agree Prez should be impeached. Why are Dems so gutless? JIM CANTWELL

La Grange, Ill.

■ Impeaching Bush is a waste of time. The real villain is Dick Cheney. He's the one to impeach—and imprison. MARTIN STARZYK

Hamden, Conn.

■ Americans can demand impeachment at impeachforpeace.org, which cites the precedent of the impeachment by the House (but no conviction in the Senate) of federal Judge James Peck in 1830, initiated by a private citizen. The website uses this original impeachment request to create printable PDFs so citizens can submit their own request to the House for the impeachment of George W. Bush. JASON KULAS

White Bear Lake, Minn.

■ Elizabeth Holtzman has it just right: Failure to impeach George W. Bush condones his actions. House Democratic leaders fear that even using the I-word will make them look like bad sports—sore winners, one might say. That attitude strengthens in us the sickening fear that the constitutional rule of law has become corrupted into a game of raw power. Fortunately, a number of Democrats are trawling for our support for their presidential bids. I will not support any candidate for President who has not shown respect for the office by supporting impeachment of its current occupant. NEIL ELLIOTT

Gulfport, Miss.

■ I agree with Elizabeth Holtzman that George Bush's conduct warrants serious investigation, if not impeachment. However, with Bush, we are in a much different position than we were with Nixon. By the time the Watergate investigation reached into the Oval Office, Vice President Spiro Agnew had resigned. Until Dick Cheney is also out of the picture, I cannot support miring the country in the politics of impeachment just as the Democrats have finally regained control of Congress. MARIA L. WATSON

Signal Mountain, Tenn.

■ Impeach Bush? If "agnew" were an action verb, Dick Cheney should be the direct object. KEMMER ANDERSON

Crescent Valley, Nev.

■ Bill Clinton received a sexual favor and lied about it, for which he was impeached. George W. Bush has screwed the entire nation and lied about everything. Where are the impeachment papers? BETTY KRAMBS

Whitefield, NH

■ It is Congress's *duty* to impeach. Bush's clear violations of the oath of office are crimes enough. That same oath of office binds Congress to act. If they fail to act, they will be violating their own oaths, and will therefore tacitly become part of the Bush regime's conspiracy to destroy the Constitution. However, I am in full agreement with Levinson that the system is broken. CARL BROWN

New York City

■ To argue as my friend Sanford Levinson did that the Administration is only "grossly incompetent"—and that the President therefore should not be impeached, having not committed "high crimes"—is to completely miss the point. It's a highly competent Administration, one of the most competent ever, the way a sociopath—say, Ted Bundy—is competent.

As for high crimes: Under the leadership of George W. Bush, tyranny is now institutionalized in the form of the unitary executive and, especially, the anticonstitutional extension, as though by an absolute monarch, of the constitutionally allocated role of "commander in chief." This is probably the most breathtaking assault on democratic government ever to take place in a supposedly stable democracy. The President's ultimate command (rarely exercised by past Presidents) over the armed forces has been turned into a claim to exercise dictatorial command over all persons, not only in the United States but in other nations as well. As for the legislature, its role in the separation of powers has been effectively abolished, no matter who controls it; it remains to be seen whether any part of that role can be recaptured.

As things stand, the President still ignores it and suffers no penalty for doing so. He does whatever he wants—e.g., setting out to destroy New York State's public hospitals. The things he can't do—e.g., invent and implement an overall "healthcare" policy all by himself—are things he doesn't want to do anyhow, since he and his accomplices are against all government other than that which further enriches or empowers themselves. So all the agitated discussion on the left about what the Democrats ought to be doing is about nothing. Can anyone seriously believe that Bush will give up his warmaking powers if Congress denies him funding?

And what have the leaders of the one-party state accomplished? They've stolen countless billions from the national economy (and Iraq's as well), and transferred it to themselves and their friends; they've installed a regime of spies and torturers at the heart of the state; they've suborned the military to surrender its professional responsibilities to an ex-deserter turned tyrant. Abroad they engage in willful slaughter, including that of the nation's young, to enhance their own control. They've carefully presided over the continued destruction of a center of African-American population exactly as they want to; taken over the National Labor Relations Board for their antiunion agenda; cemented their party's coalition with Christian totalitarians at the expense of science, healthcare and democracy itself; packed the court system and ignored its remnants of independence when it would interfere with their power; stolen one and possibly two presidential elections.

This is incompetence? What could they possibly have done with more success? Quite possibly the idea of impeachment is chimerical. But *please*! PHILIP GREEN

(Continued on Page 24)

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EDITORIALS

Rushed Primaries

As recently as 1976, Democratic presidential candidates were still duking it out in June primaries. As recently as 1992, Bill Clinton and Jerry Brown dueled well into April. Yet in 2008, with the Democratic and Republican races wide open for the first time in decades, it looks as if the nominees of both parties could be known by the first week in February, thanks to a dramatically speeded-up primary season.

That's good news for the early front-runners, especially those with lots of money, but not for grassroots activists who would like to see the race last long enough to get candidates to explain how they'll meet the challenges confronting the nation, to observe how the contenders handle the spotlight and to allow for the possibility of late starters (like global warming crusader Al Gore). The unusually early "Who's Hollywood's favorite?" sparring going on now between Democrats Hillary Clinton and Barack Obama is not the same as the real thing: Primaries force candidates to connect with voters, not just raise money at cocktail parties.

Unfortunately, the 2008 primaries could move so fast that the only real connections will be made via TV commercials. The front-loading of the selection process will leave little time for old-fashioned person-to-person campaigning. Arizona, Arkansas, Delaware, Missouri, North Carolina, Oklahoma and Utah have scheduled February 5 primaries, and the big-ticket states—California, Illinois, New Jersey and Texas—are exploring similar moves. Alabama's aiming for February 2, while Florida's toying with January 29. That's got officials in the first caucus state, Iowa (January 14), and the first primary state, New Hampshire (January 22), who zealously guard their political concessions, muttering ominously about shifting dates back toward New Year's.

Why the rush? The process has been speeding up for years, but until this election, party national committees had imposed a measure of order by threatening to reduce the size of convention delegations from states that tried to elbow into the zone traditionally occupied by Iowa and New Hampshire. What's changed is that state legislators have finally figured out that party conventions are just so much theater. So why worry about losing a few delegates? Indeed, when DNC chair Howard Dean threatened to cut the size of the Florida delegation to the 2008 convention, State Representative Dan Gelber of Miami Beach responded, "I don't have any constituents in the DNC. I only have constituents in my district. They would like to be more relevant."

No one can fault voters for that desire. And steps that give racially and ethnically diverse states more influence seem, on the surface, positive. But giving big states a place at the table in January or February changes the dynamic of the competition. Big states demand big campaigns, which play out not in town halls but in thirty-second commercials. To compete seriously in Iowa and New Hampshire and then immediately move to the biggest states will require not millions of dollars but tens of millions—amounts more likely to come from major donors to probable winners than from public financing. That's already led several candidates to reject public financing and its spending limits. In short, front-loading benefits front-runners like Hillary Clinton and John McCain who begin with high name recognition and big bankrolls.

A better process would set up a rotating calendar of regional primaries spread over several months. That would allow candidates who take gutsy stands and engage in aggressive base-building to develop momentum. Comprehensive campaign-finance reform and experiments with new voting systems, such as instant-runoff voting, would also help. But those changes won't come in time for 2008. What this means is that in order for progressives to be part of the process, activism must speed up as well. It may still be possible for the 2008 nominating process to be about more than big names and big money. But that will happen only if we recognize that the train is leaving the station way ahead of schedule—and that if those who seek a better politics are not on board, it will deliver a nominee without us.

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COMMENT

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When's the Idea Primary?

Will Hillary apologize for her vote on Iraq? Will Obama disavow David Geffen's gibe at Bill's character? Should Edwards have hired and/or fired the blasphemous bloggers Swift-boated by the wing nuts of the right? Who can match Hillary's muscle and machine? Will Obama sweep the Facebook primary? The 2008 presidential election isn't for another twenty months, but coverage has already descended to tabloid sensation and horse-race handicapping.

To quote John Edwards, it doesn't have to be this way. The 2008 election has the potential to mark a dramatic turn. For the first time in decades, there is no incumbent or logical successor. Americans have clearly turned their backs on the follies and failures of the Bush Administration and the right-wing extremes it represents. People are worried, mad and looking for a new way forward. With Democrats on the rise, the A team is on the field and the leading candidates—Hillary Clinton, Barack Obama and John Edwards—stir passion and mobilize energy.

The election comes when the challenges the country faces are increasingly stark. Iraq is lost, and we are racking up trade deficits and foreign debts that can't be sustained. Our broken healthcare system is bankrupting families and the government alike, while lack of investment in everything from schools to sewers makes America less competitive and less habitable. Corporations are shredding the social contract as inequality grows. Al Gore won an Oscar for telling the inconvenient truth that catastrophic climate change is a danger, real and present. The list goes on.

Surely it is a time for vision, for bold ideas. Yet in the early days of this campaign, caution is the order of the day.

Hillary, the odds-on favorite for the nomination, is a candidate smart enough to carve out a very different course not only from Bush but from the rear-guard politics that characterized her husband's years. Yet she has chosen to present herself as a restoration, saying, "We've lost something these last six years," and pledging to "regain it." She trumpets not her new ideas but her experience and grit: "Bill and I have beaten them before, and we will again." Indeed, she seems almost averse to leading; she offers a conversation, not an agenda. Her position on the war lags behind the passions of her party's activists and the needs of the country. She has only belatedly begun to step up to her signature issue of healthcare. Meanwhile, her campaign spoils for a fight. It stands ready to carpet-bomb any Democrat with the temerity to mention the misadventures of the Clinton years, as illustrated by the assault on Obama after Geffen's comments surfaced. Yet by emptying Hillary's campaign of captivating ideas, that same team makes character and history her calling cards and, inevitably, matters for debate.

This sets up Barack Obama. He was tone perfect when he wrote that Americans are ready to move on from the bloodletting of the baby boomers: "The time for that politics is over.... It's time to turn the page." As the one leading contender who was right on the Iraq debacle from the start, he has the stature to drive a larger debate about America's role in the world. As a former community

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COMMENT

organizer, he could call America to invest in areas vital to its future and summon the young to new national service. Yet he seems to have decided to run—à la Gary Hart in 1984—on the notion of new ideas without actually offering any. He suggests we suffer not from an absence of sound policies but from "our preference for scoring cheap political points instead of rolling up our sleeves and building a working consensus to tackle big problems." But bipartisan compromise with a Republican Party dedicated to the proposition that all government is evil (except the military) doesn't offer much hope. It isn't clear, at this point, whether Obama wants to move us in a new direction or simply insure that we have better manners. This is all packaged as a New Age form of candidacy, liberated from policy and elevated to vision. But it's hard to think of a strategy more likely to remind voters of how little experience Obama has.

John Edwards could profit from Hillary's and Obama's reticence. He has a powerful message about the "two Americas." Over the past four years, he has earned real respect for his work on poverty, the minimum wage and union organizing campaigns. He's laid out a universal healthcare plan and had the courage to call for taxing the affluent to pay for it. But he has already let himself get trapped in a silly debate about whether Hillary should join him in apologizing for voting for the war in Iraq. He suggests that admitting the mistake is a measure of honesty. But voters, sensibly, are less interested in confessionals about the past than perspectives on the future. The question isn't whether Hillary admits she made a mistake; it's whether she and Edwards learned anything from their politically convenient error.

In this regard, neither of them offers much reassurance. Both play into the Administration's new campaign on Iran, pledging that Iran will not be allowed to possess a nuclear weapon and threatening that, in Hillary's words, "no option can be taken off the table"—including, presumably, pre-emptive military strikes. Hillary even channels Joe Lieberman, slurring some (unnamed) opponents who "tell you we don't face a real threat from terrorism. I'm not one of them." She argues that the President must get authorization from Congress before striking Iran—but he did that before going into Iraq, and Congress went along.

Regrettably, such caution reflects the Democratic consensus. Democrats have been in a defensive crouch since the Republicans, under Newt Gingrich, took control of Congress in 1994. Conventional Democrats now support spending more, not less, on the military, and want to add more troops better able to go more places and do more things. Few question our commitment to policing the world. Most are timorous about taxes. While public anger drives increasing concern about lost manufacturing jobs and immigration, Democrats offer no comprehensive alternatives. Bush has a failed agenda—top-end tax cuts and corporate trade policies—for economic growth. Democrats don't seem to have any strategy at all except fiscal restraint. In Washington, the reactionary excesses of Bush and the Republican Congress mask Democratic timidity. On the campaign trail, there is less cover.

In these early days of the campaign, voters and activists have begun to fill this vacuum, pushing candidates to be clearer and bolder. Antiwar sentiment has already moved the candidates to tougher positions on Iraq. Concern over healthcare has led Edwards to advocate a strong plan on universal healthcare. Hillary started with a pledge to cover all children, and Obama with an emphasis on technology and prevention, but both now pledge to reach universal healthcare by the end of the first term (Obama) or second (Hillary, with characteristic caution). The overwhelming popularity of energy independence and the Apollo message—creating jobs by putting resources into alternative energy and energy efficiency—insures that this defining issue is trumpeted, at least rhetorically, by all.

Activists, particularly in the early primary states, should continue to demand more. We need a debate on fundamentals: on our global strategy, our imperial commitments, our trade and investment policies, on how to make this economy work for working people, on how to meet threats, from Al Qaeda to climate change. We need that debate now, in 2007, during what should be the "idea primary." We need the next President to win not just a majority but a mandate. ROBERT L. BOROSAGE

Robert L. Borosage is co-director of the Campaign for America's Future.

'There Is No Law'

LIBERTIES

"You are in a place where there is no law—we are the law." That's what US military intelligence officers told Hadj Boudella, a Guantánamo detainee, according to his lawyer, Robert Kirsch. On February 20 a divided federal circuit court in Washington, DC, appeared to back the views of the intelligence officers. It ruled that the 2006 Military Commissions Act had eliminated habeas corpus jurisdiction over lawsuits by Guantánamo detainees and that the Constitution requires no judicial review, even if the detainees are held there for the rest of their lives. If the 2-to-1 decision is affirmed by the Supreme Court, all pending lawsuits regarding the indefinite detention of "enemy combatants" at Guantánamo will be dismissed.

The DC Circuit found no support for their result in the text of the Constitution. After all, the Fifth Amendment bars government from depriving all "persons" of liberty without due process of law; and surely, even if they have been labeled the "worst of the worst," the Guantánamo detainees are still "persons." And Article I of the Constitution permits Congress to suspend the writ of habeas corpus—the common law avenue for obtaining court review of detention—only in times of rebellion or invasion, neither of which we are now experiencing.

In the circuit court's view, however, these fundamental rights of due process and habeas corpus simply don't apply to foreign nationals held outside US territory. Had the military taken its prisoners to a base in Florida, the detainees would be entitled to constitutional protection. But because they are kept offshore, on land technically belonging to Cuba but over which the United States exercises complete jurisdiction and control, they are without any constitutional rights. The court found no evidence that when the Constitution was adopted in 1789, the English common law writ of habeas corpus was available to foreign nationals held outside the British Empire, and ruled that therefore the Constitu-

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tion does not preclude Congress from stripping Guantánamo detainees of all habeas corpus review today.

The court's reasoning is fundamentally flawed. As a historical matter, the court cites no cases that actually preclude habeas review for foreign nationals held outside the British Empire. It simply notes that in the decisions it found that extended habeas review to foreign nationals, the detainees happened to be held inside the British Empire.

In any event the Supreme Court has never held that the suspension clause protects habeas corpus only as it existed in common law in 1789. Most other parts of the Constitution, including the closely related due process guarantee, are understood to have evolved over time. The DC Circuit fails to explain why habeas corpus should be frozen in time.

Most important, there is no justification in the modern era for denying those indefinitely detained by the United States access to judicial review of the legality of their detention, regardless of their national identity or where we happen to hold them. Outsourcing is an increasingly available option for government as well as private industry, but when the government exerts its sovereign authority over an individual, it should be accountable to the legal limits that constrain that authority, wherever it acts. Notions of territoriality once played an important role in the reach of domestic law. But that has become less and less true as the world has shrunk, nations are increasingly able to exert power far from home, and the world community has recognized that fundamental rights are owed to all human beings by virtue of their human dignity, regardless of their passport.

Writing of the critical importance of habeas corpus, Alexander Hamilton argued in *The Federalist* that the state's authority to detain may be even more dangerous than the power to take human life. Hamilton wrote, quoting William Blackstone, the pre-eminent scholar of English common law:

> To bereave a man of life (says he), or by violence to confiscate his estate, without accusation or trial, would be so gross and notorious an act of despotism, as must at once convey the alarm of tyranny throughout the whole nation; but confinement of the person, by secretly hurrying him to jail, where his sufferings are unknown or forgotten, is a less public, a less striking, and therefore a more dangerous engine of arbitrary government.

Hamilton had it right. George W. Bush, the Republican Congress and the DC Circuit got it wrong. Now it is up to the Supreme Court or the Democratic Congress to affirm that we are willing to abide by law, especially when it comes to the most vulnerable among us.

DAVID COLE

David Cole (cole@law.georgetown.edu), The Nation's legal affairs correspondent, is a professor at Georgetown University Law Center.

CALVIN TRILLIN

Some Former Backsliders Try to Please the Christian Right

Although he mortified himself, it's true,
By showing up at Falwell's Wack Job U,
And says that every effort should be made
To guarantee reversing *Roe v. Wade*,
The Christian right's big mullahs make it plain
They're still not comfortable with John McCain.

And Giuliani's heel is like Achilles';
Revolving fillies give the right the willies.
His other heel is pretty much the same,
Since bashing gays was never Rudy's game.
But now he hates abortion. From the start,
He was, he says, opposed—deep in his heart.

Mitt Romney's saying now he should have known
A stem cell's just a human, not quite grown.
Gay marriage, which he used to think was good,
Is now the sort of awful thing that should
Be banned by an amendment he'd get passed
To rid us of this evil plague at last.

A shelter full of lap dogs with one plea:
"Oh, take me home! Oh, please! Oh, please pick me!"

TNR's *New Owners*

WATCH

On February 23, the 93-year-old *New Republic* announced it would shift from weekly to biweekly publication and that CanWest—Canada's largest media conglomerate—would henceforth own a majority share and would expect the magazine to turn a profit.

Reaction was swift. Commentators, well-wishers and ill-wishers alike focused on the watershed moment of America's second-oldest weekly going biweekly. The Internet, the argument goes, has changed the game; what role, if any, venerable print institutions like *The New Republic* will play in the future is an open question. The magazine assured readers it has a plan; the glossy new biweekly will be twice the size of the old weekly, and the website will be enhanced to keep the magazine in the daily news cycle.

While the new strategy may make business sense, its new ownership structure raises critical questions for the public sphere, questions that grew more acute when CanWest announced just four days later that it was instead buying the whole magazine. Independence has long been an important condition for journals of opinion dedicated to making a contribution to the national dialogue. It's no accident that of the four main such US journals, three (*The Nation*, *National Review* and *TNR*) were independently

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owned; only the late comer, Rupert Murdoch's *Weekly Standard*, is not—and so far he's allowed the magazine to run at a loss.

Ownership of an opinion journal has always been something like a trusteeship, and it remains to be seen if CanWest feels that way or regards the purchase as just another acquisition. Whatever CanWest's intentions, over time conglomerates have a way of working their will, of flattening and homogenizing opinion. That's certainly CanWest's track record.

Like most journals of opinion, *The New Republic* has almost always run at a loss, surviving with the help of wealthy benefactors. The magazine's editor in chief, Marty Peretz—famously married to a Singer sewing machine heiress—has bankrolled the publication since he purchased it for $380,000 in 1974.

So why is the magazine being sold now? After some bad investments, Peretz sought additional backing for the magazine, and in 2002 he brought in two New York financiers, who implied they would support the magazine to the tune of several million dollars a year. One, Michael Steinhardt, decided he was too conservative for the magazine and by the second half of 2006 wanted out, according to J.J. Goldberg, who maintains ties to Steinhardt's circle, and whose paper, *The Forward*, was also once supported by the retired hedge fund manager. Peretz didn't have to look far for a new backer. In January 2006 CanWest had purchased a 30 percent stake in the magazine for $2.3 million. Now, they are the sole owners, although Peretz retains his title.

CanWest's road to *The New Republic* begins in 1975, when Israel "Izzy" Asper started a single television station in his hometown of Winnipeg. When Asper died in 2003, he left behind a global media empire that includes film production, newspapers and broadcasting stations on four continents. Leonard Asper, who succeeded his father, has said he wants CanWest, a family-controlled but publicly traded company with about $2.9 billion (Canadian) in revenues, to become one of the world's five-largest media conglomerates.

Clearly *The New Republic* represents a minuscule portion of the company's portfolio. But according to the *New York Times*, Greg MacNeil, a consultant to CanWest who has acted as *TNR* "interim publisher" since November, says the company nonetheless wants the magazine to be profitable within three years. Most experts think this is a tough goal. When Leonard Asper made a presentation about his company's upcoming purchase at a January *TNR* editorial meeting, John Judis—a *New Republic* senior editor who helped launch *In These Times* and wrote a book on William F. Buckley Jr. and his *National Review*—asked Asper if he was aware that "publications like ours never make a profit." Judis says Asper reassured the staff that he liked the magazine, and that he wasn't planning on trying to turn it into a cash cow.

But in the past, MacNeil's efforts to bring profits to a series of highly regarded but cash-short Canadian magazines have resulted in a series of shuttered magazines. And according to a 2002 *Globe and Mail* profile, MacNeil is deeply involved in the editorial process of his magazines, bragging about his hand in writing headlines and even editing pieces. "I think I know what works," MacNeil told the reporter.

Under Peretz, day-to-day operations of *TNR* have been carried out by the editor of his choosing; for the past year that's been Franklin Foer. But with the new ownership, will Foer be answering to Winnipeg? That's what happened to publishers and editors of fourteen Canadian dailies after CanWest acquired them in 2000. CanWest mandated that the papers, from Vancouver to Halifax, print national editorials written in Winnipeg.

CanWest's position, both on the editorial page and in the focus of its coverage, was clear, says Arnold Amber, director of Canada's Newspaper Guild, which represents CanWest staffers at the *Ottawa Citizen*, the *Montreal Gazette* and five other major dailies. "It is a right-wing philosophy, and right-wing coverage," he says.

Charles Shannon, a copy editor at the *Gazette*, the only daily serving Montreal's 1 million Anglophone readers, says, "One definite edict that came down was that there should be no criticism of Israel. And by that I mean not even a mild rapping of the wrist." Shannon says he was instructed to change Reuters copy to reflect CanWest's position. "The message that was passed down to the copy desk was to change 'militant' to 'terrorist' when talking about armed Palestinians," he says. "It was a political change."

The most significant demands were rolled back after a public outcry, or gradually ignored. But media critics and union officials say an atmosphere of editorial intimidation still exists.

Despite their company's contentious editorial policies, the Aspers' personal politics may be as difficult to pin down as those of Peretz, described variously as neoconservative, neoliberal and postideological. David Asper, Leonard's older brother and chair of the CanWest–owned *National Post*, endorsed Conservative Party leader Stephen Harper in last year's elections. But the Aspers have long been associated with Canada's Liberal Party; in the mid-1970s, before starting his media career, Izzy Asper was an elected member of Manitoba's provincial assembly, where he led the Liberal opposition to the province's then social-democratic government.

But there's one area where the Asper family and Peretz's politics are clear and in perfect alignment: Israel, where the Aspers' foundation has spent millions sponsoring community centers, schools and museums. In fact, CanWest papers have published op-eds by Peretz on the Middle East, perhaps signaling one more reason the company might be interested in owning *TNR*.

In the past, like many content-sharing conglomerates, CanWest has asked its writers to sign over global publication rights for their work. And no matter what one thinks of *The New Republic*'s politics, the public sphere will suffer if it becomes just another content provider in the CanWest media empire. CLINT HENDLER

Clint Hendler is a freelance writer living in New York City.

ON THE WEB: Katrina vanden Heuvel connects the film *Amazing Grace* with efforts to abolish modern-day slavery. John Nichols discusses Nancy Pelosi's plan to put farm issues back on the Democratic Party's agenda. Max Blumenthal gets to the root of Mitt Romney's problems with the religious right. *Nation* poll: What's Hillary Clinton's greatest weakness as a presidential candidate? (www.thenation.com)

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About Your Professor

Dr. Richard Brettell is Professor of Aesthetic Studies at The University of Texas at Dallas. He earned his B.A., M.A., and Ph.D. from Yale University. He has written many books and catalogues, including *Modern Art 1851–1929: Capitalism and Representation* and *Impression: Painting Quickly in France, 1860–1890.*

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ALEXANDER COCKBURN

The Persecution of Sami Al-Arian

One of the first big show trials here in the post-9/11 homeland was of a Muslim professor from Florida, now 49, Sami Al-Arian. Pro-Israel hawks had resented this computer professor at the University of South Florida long before Atta and the hijackers flew their planes into the Trade Towers because they saw Al-Arian, a Palestinian born in Kuwait of parents kicked out of their homeland in 1948, as an effective agitator here for the Palestinian cause. As John Sugg, a fine journalist based in Tampa who's followed Al-Arian's tribulations for years, wrote in the spring of 2006:

"When was Al-Arian important? More than a decade ago, when Israel's Likudniks in the United States, such as [Steven] Emerson, were working feverishly to undermine the Oslo peace process. No Arab voice could be tolerated, and Al-Arian was vigorously trying to communicate with our government and its leaders. He was being successful, making speeches to intelligence and military commanders at MacDill AFB's Central Command, inviting the FBI and other officials to attend meetings of his groups. People were beginning to listen."

At the direct instigation of Attorney General Ashcroft, the Feds threw the book at Al-Arian in February 2003. He was arrested with much fanfare and charged in a bloated terrorism and conspiracy case. He spent two and a half years in prison, in solitary confinement under atrocious conditions. To confer with his lawyers, he had to hobble half a mile, hands and feet shackled, his law files balanced on his back.

The six-month trial in US District Court in Tampa featured eighty government witnesses (including twenty-one from Israel) and 400 intercepted phone calls (the result of a decade of surveillance and half a million recorded calls). One bit of evidence consisted of a conversation a co-defendant had with Al-Arian in his dream. The defense rested without calling a single witness or presenting any evidence, since the government's case rested entirely on First Amendment–protected activities.

The man presiding over Al-Arian's trial was US District Court Judge James Moody, a creature from the dark lagoon of Floridian jurisprudence. Hospitable to all testimony from Israelis, Moody ruled that Al-Arian and his associates could not say a single word about the military occupation or the plight of the Palestinian people. During closing arguments, the prosecution noted a document that mentioned UN Resolution 242. Moody nixed that on the grounds that it showed Palestinians in altogether too warm a light and therefore might tax the objectivity of the jurors.

In December 2005, despite Moody's diligence, the jury acquitted Al-Arian of the most serious charges. On those remaining, the usual prosecutorial flailings under conspiracy statutes, jurors voted 10 to 2 for acquittal. Two co-defendants were acquitted completely. It was a terrible humiliation for the Justice Department, which had flung an estimated $50 million into the trial.

A jury split 10 to 2 in a defendant's favor doesn't augur well for conviction in a retrial. But the Feds insisted they wanted to put Al-Arian through the wringer again and—prudently, given Moody's prejudice—Al-Arian's lawyers urged him to make a plea and put an end to his ordeal.

A central aspect of the plea agreement was an understanding that Al-Arian would not be subject to further prosecution or called to cooperate with the government on any matter. The government recommended the shortest possible sentence.

On May 1, 2006, Al-Arian came before Judge Moody for sentencing. Watching the proceedings Sugg, as he reported on the *CounterPunch* website, noted a smug air among the prosecutors. He also noted that Attorney General Alberto Gonzales had arrived in the Tampa area five days earlier. Under the plea, Al-Arian's sentence amounted to little more than time served, followed by his departure from the United States. But Judge Moody sentenced Al-Arian to the maximum, using inflamed language about Al-Arian having blood on his hands, a charge one juror said the jury emphatically rejected.

Now Al-Arian faced eleven more months in prison, with release and deportation scheduled for April 2007. But the Feds' appetite was far from slaked. In October Gordon Kromberg, an assistant federal prosecutor in Virginia notorious as an Islamophobe, called Al-Arian to testify before a grand jury investigating an Islamic think tank. The subpoena was an outright violation of Al-Arian's April plea agreement, and his attorneys filed a motion to quash it. The motion included affidavits by attorneys who participated in the negotiations attesting that "the overarching purpose of the parties' plea agreement was to conclude, once and for all, all business between the government and Dr. Al-Arian." The defense lawyers insisted that Al-Arian would never have entered a plea that left him vulnerable to government fishing expeditions.

Al-Arian's lawyers feared that their client was being set up for a perjury trap. Up in Virginia, Kromberg ranted to Al-Arian's attorney about "the Islamization of America," while down in Tampa, Judge Moody ruled that federal marshals could drag Al-Arian to Virginia to testify. On November 16 Al-Arian was brought before the grand jury and placed in civil contempt for refusing to testify.

One month after Al-Arian was placed in civil contempt, the grand jury term expired, so Kromberg impaneled a new one. Al-Arian was again subpoenaed and again expressed his ethical stance against testifying. This judge also held him in contempt, which could prolong his imprisonment by up to eighteen months.

Al-Arian, who is diabetic, is now in the sixth week of a water-only hunger strike and has already lost forty pounds. On February 14, the twenty-third day of his fast, Al-Arian collapsed; he has since been moved to a prison medical facility in North Carolina.

Measured against José Padilla, a man driven insane on Rumsfeld's orders, I guess Al-Arian is lucky. He's alive, and still sane, though getting weaker by the day. He needs all the support we can muster. Across the globe, Al-Arian's case has aroused much outrage, and respect for the US commitment to constitutional freedoms sinks lower still. ■

For information on the case, go to www.freesamialarian.com.

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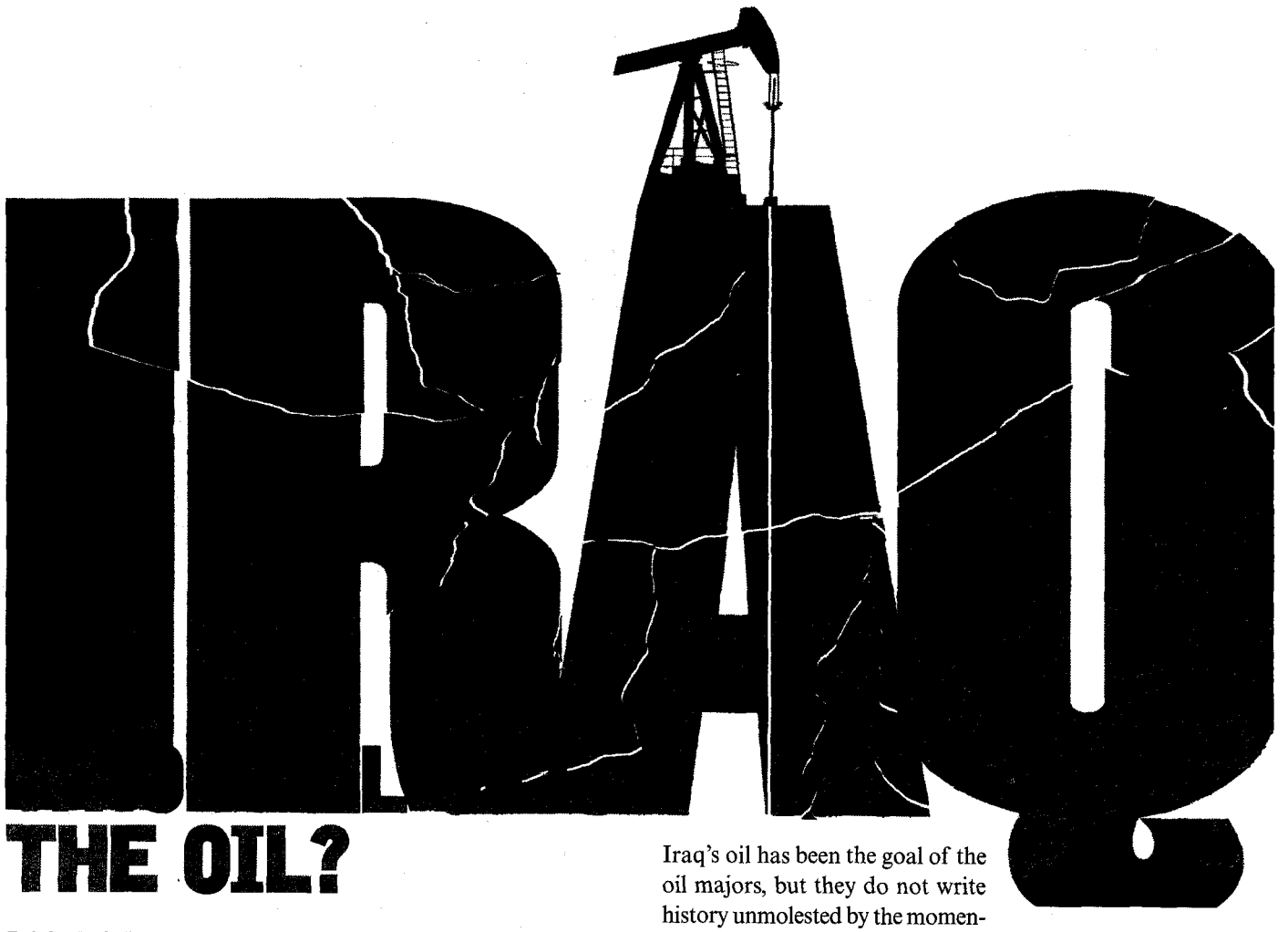

THE OIL?

BY CHRISTIAN PARENTI

Iraq's postwar oil bonanza remains a mirage. The country has the second- or third-largest reserves in the world, making petroleum the heart and vast bulk of its economy. Thus in March 2003 did Paul Wolfowitz assure Congress that Iraq would "finance its own reconstruction, and relatively soon." American planners predicted that Iraq's oil production would triple to a feverish 6 million barrels per day by 2010.

Instead war, corruption, sectarian slaughter and a massive crime wave have reduced the country's once mighty petroleum sector to an industrial zombie: still ambulatory, functional but essentially dead.

Despite this, oil majors and the International Monetary Fund have been pressuring Iraq to pass a thoroughly free-market hydrocarbons law that would allow foreign companies to make huge profits from Iraq's petroleum. A draft of the law has just been released; the Iraqi Cabinet has approved it and sent it on to Iraq's Parliament for debate and approval in March.

But is Big Oil really poised for total victory in Iraq? Such an outcome is hard to imagine, at least in the near term, given the likelihood of opposition from Iraqis and, more important, the spiraling chaos: Iraq is a society in meltdown with no real state to speak of. Many politicians have fled Iraq, rarely risking trips back to Baghdad, so even achieving a basic parliamentary quorum can be difficult. Controlling and profiting from Iraq's oil has been the goal of the oil majors, but they do not write history unmolested by the momentum of events and competing agendas.

Nor does the proposed oil law simply serve Iraq up on a plate to the oil giants. One London-based oil analyst who expected a more decentralized and free-market law called it "bloody confused." On key questions of foreign investment and regional decentralization versus centralized control, the law is vague but not all bad. In general terms it reaffirms state control over oil and binds Iraq's Sunni center and Shiite south to the Kurdish north by re-creating a single Iraqi National Oil Company, which will in turn dole out oil income to the regions on a per-capita basis. This might help de-escalate sectarian conflict.

But the law leaves plenty of problematic wiggle room: All its important details are left for later resolution by a new Federal Oil and Gas Council to be controlled by the prime minister, which will effectively bypass Parliament. And while the law asserts a set of generally nationalist economic goals, it sets no minimum level for state participation, nor does it cap the amount of profits allowed to foreign firms.

Among the Iraqi political class there is pervasive confusion about the new law, but there is also a deep resource nationalism that opposes selling off the country's patrimony. My interviews with Iraqi oil experts, politicians and regular people revealed a quite reasonable and balanced view of the situation: Most felt that foreign participation in the oil sector could be helpful in reviving an industry battered by a fifteen-year nightmare of war, sanctions, more war and now anarchy. But no

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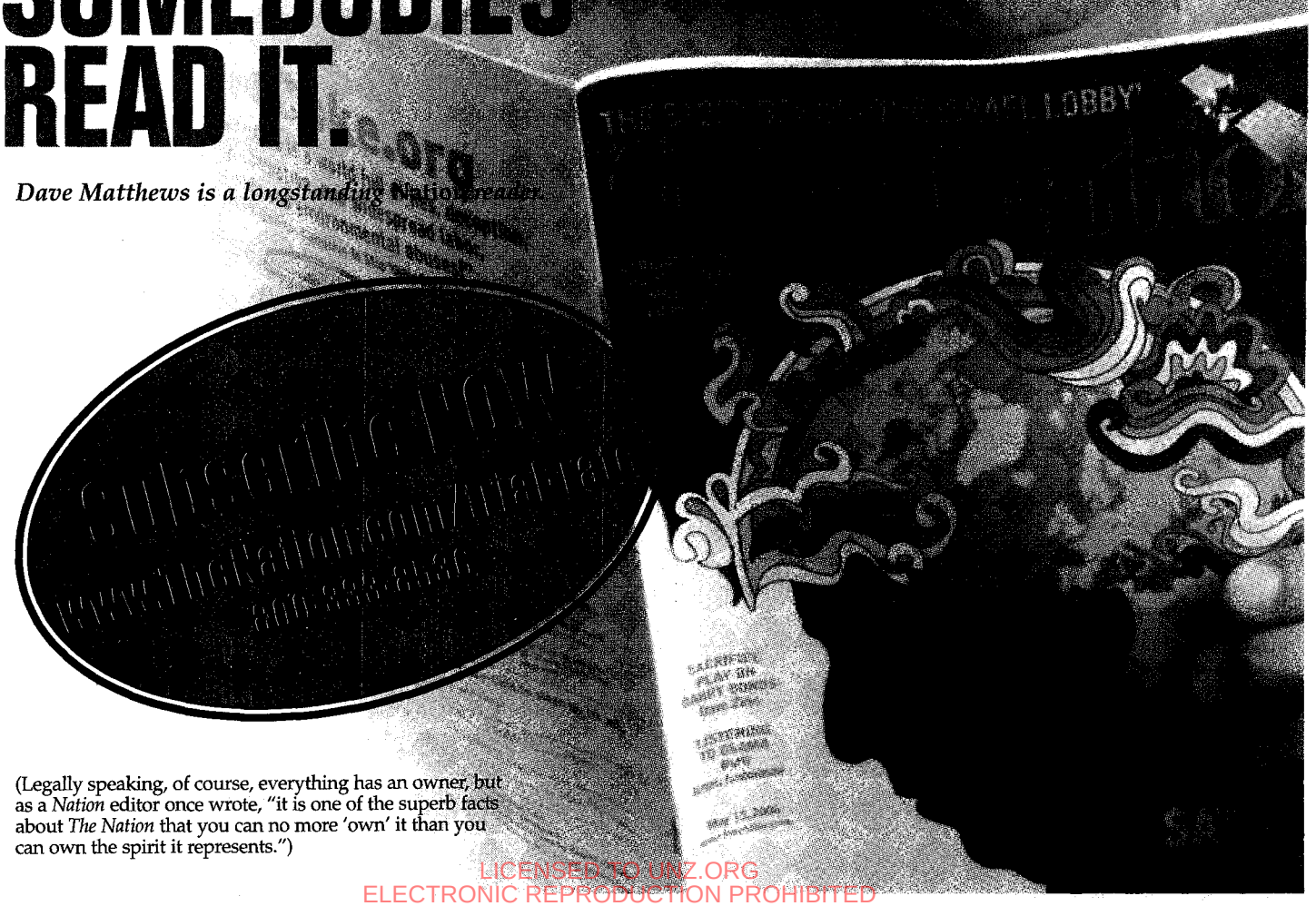

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one felt Iraq should have to enslave itself to the will of Shell, BP or ExxonMobil.

If an aggressively liberalizing and decentralizing interpretation of the oil law is eventually pursued, it is not at all clear that it will, in fact, shape the future (if there is one) of Iraq's petroleum sector. "If an unfair oil law is passed, it will be a bone of contention for years to come," says Kamil Mahdi, an Iraqi academic now at the University of Exeter in Britain. "It will be remembered as something forced through during the worst period of violence. It will sow the seeds of instability throughout the whole region."

So what will the new oil law actually stipulate? Will it be passed into law and accepted by the people? And what are the real conditions and potential of the Iraq oil industry?

"The situation is pretty dire and going to get worse before it gets better," says oil analyst George Orwel, of Energy Intelligence. Orwel follows the Iraq oil industry from New York, working the phones to reach contacts that range from ministers in Baghdad to oil terminal engineers in Basra. He and other analysts paint a horrifically bleak picture.

Before the 1991 Gulf War the country's oil sector produced as much as 3.5 million barrels per day. But after four years of occupation, Iraq has only recently and momentarily managed to reach an output of 2.1 million barrels per day. And it can rarely manage to export more than 1.5 million barrels per day. Iraq's current oil production is concentrated in the north and the south. But since the US-led invasion, production in the northern fields has been almost totally off-line because of constant sabotage: 400 major attacks have been recorded on the pipelines that connect the Kirkuk fields to the Baiji refinery and both of those to the Turkish port of Ceyhan. Last year attacks on oil installations and employees killed 289 people and wounded 179.

If an aggressively liberalizing oil law is pursued, it is not clear it will shape the future (if there is one) of the petroleum sector.

The Oil Ministry—controlled by the Shiite government—is mired in corruption. Shoddy record keeping, limited accountability, little investment and endemic brain drain set the tone. Many of Iraq's petroleum engineers and geologists have escaped. "Most of those guys are either hiding in Sunni cities, driving cabs or they have fled abroad because they were listed on death-squad death sheets," said chief engineer Abdullah of Saladin Province.

Last year the Oil Ministry allotted $3.5 billion for projects like repairing pipelines, but because of abysmal security and a lack of skilled technicians and managers, the ministry had spent only $40 million as of August 2006. The work was assigned to the ministry's besieged State Company for Oil Projects, which has taken over responsibility for construction, exploration and repair now that Halliburton and Parsons, having been paid billions but done little, have fled.

Exports are now so low and the flow of oil is so intermittent that last year the Iraqi government paid more than $100 million in demurrage charges, or compensation fees to oil tankers that were delayed waiting to load at Basra.

Until the middle of 2006 most of Iraq's oil pipelines were not even equipped with working meters. Earlier in the occupation US viceroy L. Paul Bremer refused to install new ones—why, no one knows. Now the few meters installed at Basra are not working properly and maintenance was just delayed for another month. Analysts are left to estimate Iraq's production levels by adding up the amount of petroleum purchased by international shippers.

Smuggling is rampant, with methods ranging from the use of truck convoys and small tankers to legitimate tankers that top up their loads off the books and pay kickbacks to officials to under-record the size of the cargoes.

At the Kurdish-Turkish border oil tanker trucks wait in rows parked three and four abreast, stacked in lines as long as eight miles. The truckers sit by their rigs for days playing cards, drinking tea and tinkering with their engines, waiting for higher-ups to pay bribes and doctor paperwork so they might pass. The Iraqi Oil Ministry's inspector general recently estimated that a petroleum truck driver willing to brave the country's highways could expect to pay $500 in bribes and would make about $8,400 profit once he resold his load in a safer country.

The subsidized price of Iraqi gasoline, which is less than half the regional price, makes the resale of legally purchased Iraqi fuels in Jordan or Syria very profitable. But according to the US Government Accountability Office, about 10 percent of Iraq's refined fuels are stolen. Revenue Watch estimates that this cost the state $4.2 billion in lost income in 2005.

Sunni politicians accuse the dominant Shiite parties of controlling most of this sub rosa petroleum traffic. "Iraqi oil is regularly smuggled out of the country in many different ways," said an oil merchant in Amman. "Emir al-Hakim [head of SCIRI] is spending all his time in Basra selling oil as if it were his own. People there call him Uday al-Hakim, meaning he is behaving the same way Uday Saddam Hussein was acting. Other merchants like myself have to work through him with the big deals or smuggle small quantities on our own. The petroleum is now divided among political parties in power."

Given the level of violence in Iraq, it is amazing that any oil gets produced and exported. The industry runs in part on ordinary Iraqis' desperate attempts to cling to some semblance of normalcy. One engineer at the Oil Ministry who refuses to flee the country now lives in his office with his wife.

The rising mayhem means there is almost no foreign investment in Iraq's oil sector, other than five small deals between the Kurdistan Regional Government and a mix of independent drilling and exploration firms. Only one of these has panned out; Norway's DNO operates one well near the Turkish border.

Against this smoldering vista of general disintegration, a small group of Iraqi politicians spent a year secretly drafting the new hydrocarbons law. Weighing in from the outside was the US consulting firm BearingPoint, as well as the American and British embassies, and the US energy secretary, Samuel Bodman, who supposedly showed early versions of the draft law to several major petroleum firms. To add further pressure, the

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Christian Parenti is the author of The Freedom: Shadows and Hallucinations in Occupied Iraq *(New Press).*

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IMF has made passage of a liberalizing hydrocarbons law a condition for canceling about 6 percent of Iraq's outstanding debt.

It is estimated that Iraq would need $20 billion to $30 billion in new investment to get its petroleum sector back in order. After initial outside loans and technical support from oil service companies, Iraq could again be self-financing and could lure back its engineers. But large oil companies want to use Iraq's current weakness to gain as much access as possible to Iraqi petroleum. And the Iraqi politicians working on the hydrocarbons law—led by Oil Minister Hussain al-Shahristani, a prominent former exile—have taken a bullishly free-market position.

In an e-mail to me, Minister Shahristani explained the mood toward foreign companies as follows: "Opening the Iraqi oil upstream sector for investment to reputable International Oil Companies with state-of-art technologies and financial resources to fast-track oil and gas fields development through transparent bid rounds that offer the best return to the Iraqi people is not disputed by any party in the government, or outside the government. Even under the previous regime, such cooperation was encouraged."

But unlike other Iraqi politicians who in recent years attempted to restructure Iraq's oil industry, Shahristani's committee had to back away from some of the draft law's more controversial elements. Early on, US-appointed Prime Minister Iyad Allawi floated a radical privatization plan: giving foreign corporations ownership of the subsoil petroleum. That sort of arrangement is used only in the United States; in all other countries oil is state property, even if private firms drill and sell it. The Allawi plan lasted about as long as the failed plan to redesign Iraq's flag. (The "new" flag championed by Bremer was rendered in blue and white, like the Israeli flag. It flew for one day in the summer of 2004.) Similar plans to privatize the state-owned vegetable oil and soap industry were quietly dropped when unknown assailants gunned down the company's pro-privatization manager.

The draft law will leave ownership of the oil in state hands. But according to several reports, early versions of the law included contracts called Production Sharing Agreements (PSAs) that would allow an unusually high average profit rate of 25 percent. PSAs are widely disparaged because they are often predatory and long term. Private oil companies prefer PSAs because they allow the firms to count petroleum reserves on their books—boosting their stock on international markets.

Several weeks ago Minister Shahristani told me, "There is no reference to PSAs in the draft, and there has never been any reference to it in the draft that the ministry proposed to the Energy Committee. The Federal Council for Oil and Gas will decide what type of agreement for which field will maximize revenues for Iraq." Indeed, the new law does not mention PSAs and it stipulates that firms will have to negotiate on a field-by-field basis.

The law will restructure the oil industry in other important ways: It will appoint a Federal Oil and Gas Council led by the prime minister to oversee all future contracts as well as review existing deals. Those agreements include the five contracts signed by the Kurdish Regional Government and six outstanding PSAs signed between Saddam Hussein and a mix of companies—most notably Lukoil of Russia, Total of France, the China National Petroleum Corporation and Italy's Eni.

A single state-owned Iraqi National Oil Company will be reconstituted under central government control. This commitment to recentralizing the oil industry could placate Sunni fears that they will be left with no petroleum income, and as such it represents a serious compromise by the Kurds. More generally, centralization could pull the various leadership factions into some sort of corrupt cooperation, de-escalating the centrifugal forces of civil war.

So how will the law be received? Even the cleverest Green-Zone–hatched plans are counterbalanced by anarchy and the still-deep nationalism of the people. As one exiled Iraqi oilman, Dr. Muhammad-Ali Zainy, told me, "For us, oil is a very emotional issue."

"The whole culture of the ministry opposes liberalization," says Rafiq Latta, a London-based oil analyst with Argus Energy. "Those guys ran the industry very well all through the years of sanctions. It was an impressive job, and they take pride in 'their' oil." The political parties still wield considerable power over the oil issue and not all of them are so friendly to the Oil Majors. The main Sunni parties adamantly oppose liberalization and decentralization, both of which could allow the north and the south to keep revenues away from the more heavily Sunni center of the country.

"We think that any decision that would be passed in these exceptional circumstances...would be a mistake," says Saleh Mutlaq, of the Iraqi Front for National Dialogue, a Sunni party that opposes any moves toward breaking Iraq into regional blocs. "It will further complicate the Iraqi scene as well, and it will face a wide public refusal from the Iraqi people."

A representative from the Islamic Party, a prominent Sunni formation, speculated that the Shiite bloc of Muqtada al-Sadr's followers would unite with them in opposing any oil law that was excessively permissive toward foreign oil companies.

"In fact, we are scared of the oil investment issue because we don't trust the political process that was formed during Bremer," concurs Sheikh Ghaith Al Temimi, a key Sadr spokesman. He accuses most Iraqi politicians of "stealing oil" and "collaborating" with the occupation, but he was not uniformly hostile to foreign participation in the oil sector. His sentiments seem to summarize the position of most Iraqis: "We would welcome any investment in our oil but under certain conditions. We want our oil to be developed, not stolen. If a bad law were to be passed, all people of Iraq would resist it."

Iraq's General Union of Oil Employees deeply opposes any moves toward selling off national resources. The GUOE has shut down Iraq's oil production on several occasions, and they have called on Iraqi parliamentarians to reject the law.

Many regular Iraqis now seem to view oil as a curse. "We are being punished because Saddam nationalized Iraqi oil. I heard from my teachers at school in the 1970s that Europe and America would not let that go unpunished," said Salim Alwan, a police officer in Falluja.

"I wish we did not have oil in this country," said Numan Hany, a teacher from Mosul. "That way the United States would not have invaded our country, and we would have lived on the two great rivers and the land on which our grandfathers lived in dignity." ■

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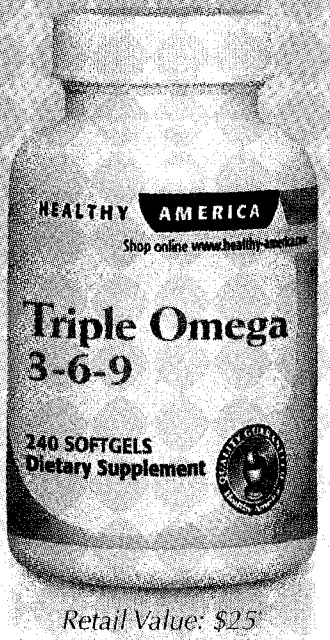

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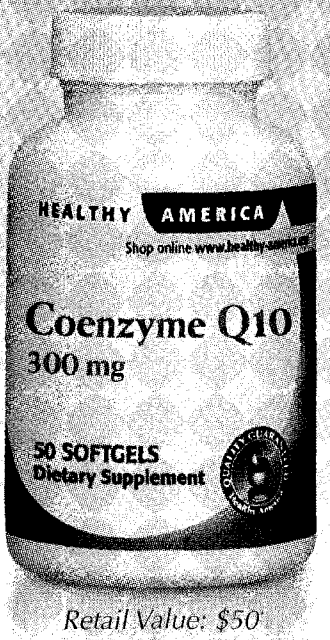

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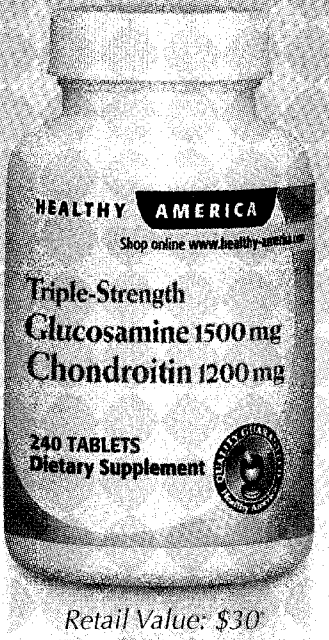

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THE WORLD'S ATTENTION IS FOCUSED ON DARFUR, BUT THE NORTH–SOUTH PEACE AGREEMENT IS FRAYING. A COMPREHENSIVE NEGOTIATED SOLUTION TO BOTH CRISES IS NEEDED NOW.

RAMZI HAIDAR/AFP/GETTY IMAGES

Sudan Liberation Army rebels in Darfur in May 2006, weeks after the abortive Darfur Peace Agreement was signed.

The Wars of Sudan

ALEX DE WAAL

When history repeats itself for a third time, it is beyond tragedy. Since its independence fifty-one years ago, Sudan has suffered two civil wars between North and South, each of them as bloody as—and much longer than—today's crisis in the western region of Darfur. Quietly, Sudanese military planners are preparing for a third round of that war. Just two weeks before violent clashes erupted in the Southern city of Malakal at the end of November, Salva Kiir, the president of Southern Sudan—who is also first vice president in Sudan's Government of National Unity—issued a stark warning: "The war will return to the South if peace is not achieved in Darfur, and that is really our fear." He repeated the warnings in a speech January 9, the second anniversary of the agreement that brought peace to Southern Sudan. Kiir's alarm is good reason to intensify international efforts over Darfur—but he is also putting us on notice to pay attention to a looming nationwide crisis.

There's no doubt that President Omar al-Bashir and his cabal of security chiefs bear the major responsibility for bringing Sudan to its current state of despair. Certainly urgent action is needed to stop the killing in Darfur, which first aroused the conscience of the Western world in 2003, spurring a well-organized mass movement and student campaign to "save" the region. The impulse among Western activists and policymakers to entertain regime change, and to pressure and punish those whose misdeeds have inflicted so much death and destruction, is understandable. But punitive and interventionist measures carry a high risk of sparking intensified conflict or bringing about government collapse—either of which would have calamitous humanitarian consequences. American leadership to avert such disasters is needed now.

While the crisis in Darfur has captured the attention of Western activists, that conflict developed partly because of the incomplete resolution of the North-South war. And both conflicts arose from the same general phenomenon: regional discontent with exploitation, of both people and resources, by the central government in Khartoum. The Darfur crisis can neither be understood nor resolved apart from the more deep-rooted North-South confrontation.

When Sudan won its independence in 1956, a rebellion was already under way in the South. Southern Sudanese, black and overwhelmingly non-Muslim, feared that national independence simply meant a replacement of British imperial rule by Northern Sudanese Arab colonialism. Their fears were well founded, as Southerners suffered discrimination and abuse from Northern governments seeking to create a Muslim and Arabized country. This war lasted seventeen years, until a peace accord was signed in 1972. A decade's interlude of peace followed, but the political travails that marked those years—including half a dozen attempted military coups—cemented Sudan's reputation as Africa's most dysfunctional country.

A second war broke out in 1983. The Sudan People's Liberation Army (SPLA), headed by John Garang, fought four successive governments in Khartoum until, with major effort from Kenya, the United States and Europe, a Comprehensive Peace Agreement was signed in January 2005. Commonly known as the Naivasha Agreement, after the Kenyan resort where negotiations were conducted, the CPA promised the democratization of Sudan and an equitable distribution of oil revenues between North and South. Its greatest weakness is that despite the word "comprehensive," the accord didn't deal with the war in Darfur. That conflict had erupted just as the North-

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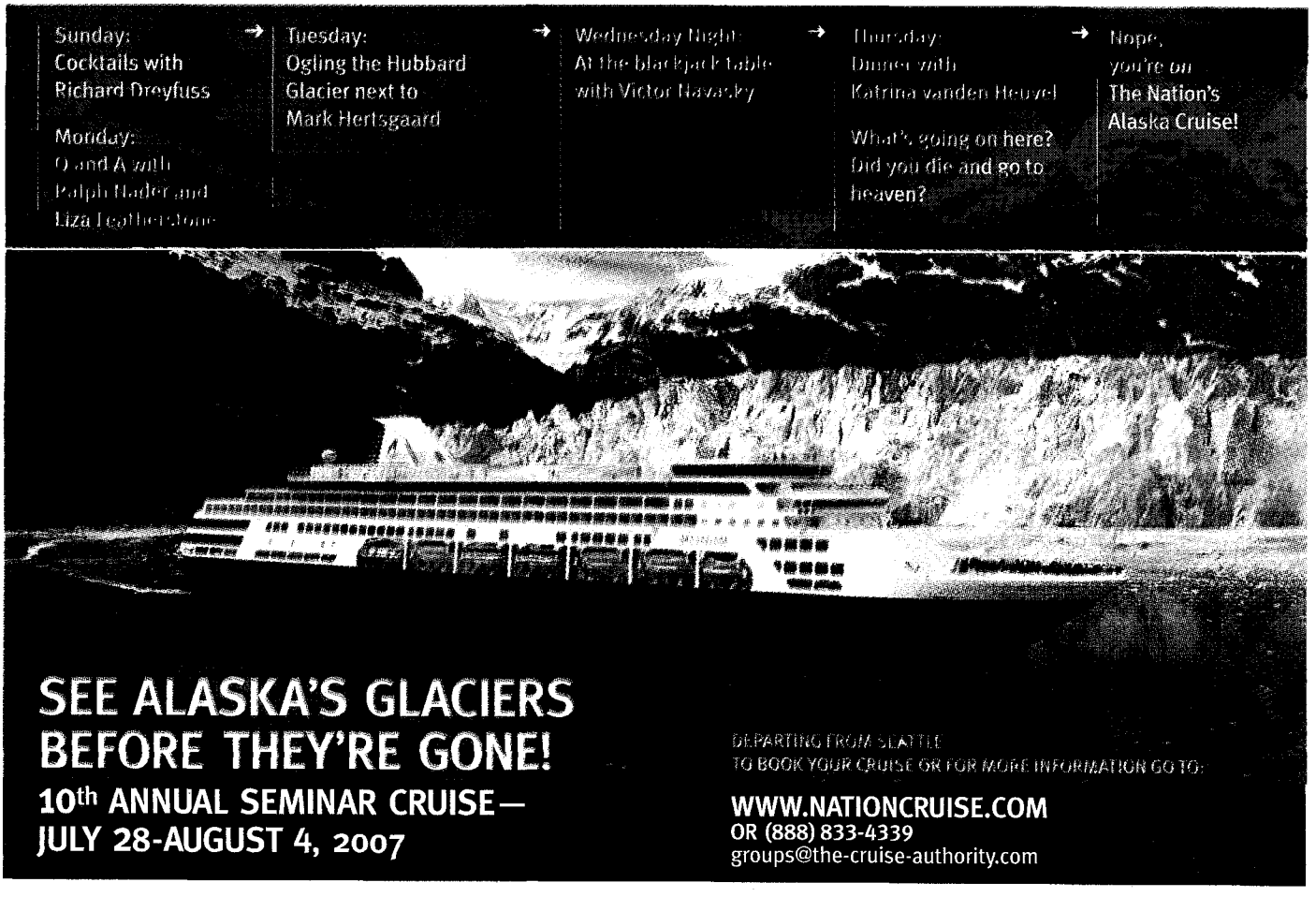
South war was finally coming close to settlement.

The Darfur rebellion arose out of a sorry history of misgovernment and the region's unfortunate location next door to Chad's civil war, which has alternately smoldered and blazed since the 1960s. Twenty years ago Khartoum turned a blind eye to Libya's use of Darfur as a rear base to attack Chad, and the depredations of the Chadian Arab militia it had armed—the original Janjaweed. As law and order collapsed and Darfurian tribesmen acquired weapons to defend their farms and herds, Khartoum failed to act as an honest broker in the numerous local conflicts. On the contrary, it policed Darfur by promoting loyal chiefs and arming their militias. Most of these loyalists were Arabs who fueled Arab supremacist ideology and underwrote an escalating land grab. By 2003 a coalition of village self-defense groups trying to hold on to their land and educated Darfurians incensed at the region's marginalization in national politics came together as the Sudan Liberation Army and mounted a guerrilla war. Garang encouraged the SLA, hoping that a new insurgency in the west would press Khartoum to make bigger concessions on his agenda of a radical "New Sudan."

Garang miscalculated: As the rebellion in Darfur surged—and especially when dissident Islamists set up a second Darfurian rebel front, the Justice and Equality Movement—Bashir unleashed a savage counterinsurgency that killed tens of thousands of civilians, caused many more to die of hunger and disease and displaced more than 2 million. This was more than disastrous coincidence: It highlighted the main flaw in the Naivasha process, which is that in setting up a new government of national unity, it privileged Khartoum's ruling National Congress Party (NCP) and the South's SPLA while leaving out Sudan's other political players—most critically, those from the Darfur region.

When Garang signed the CPA with Vice President Ali Osman Taha in January 2005, he had remedied many of the defects in the 1972 agreement. The South was to have its own government, development budget and law (Islamic law still holds sway in the North). A government of national unity was created, giving the NCP the presidency and 52 percent of seats in the National Assembly and Cabinet, with Garang's party taking the vice presidency and 28 percent. The remaining seats are divided among numerous other parties—a share most of them consider unfairly small. But the CPA promises free nationwide elections in 2009. It also gives Southerners the chance to vote on unity or an independent Southern Sudan in 2011 and—an essential guarantee—it allows the SPLA to remain as the Southern army during this interim period.

Why did Khartoum and its undefeated army accept these huge concessions? The key was Vice President Taha, who sold the peace accord to his skeptical colleagues in government as the country's last chance for unity and as the path to ending Sudan's international isolation—especially the lifting of sanctions imposed by the United States dating back to Bashir's 1989 coup and Khartoum's hosting of Osama bin Laden from 1990 to 1996. For its part, the US State Department backed Taha as the best chance for a peaceful end to the war and as an ally in the "war on terror." Garang's Southern critics were doubtful,



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but in the end they rallied behind the peace deal. "He has one vote," says one pro-independence Southern politician, "among 7 million." Southerners had learned patience, and when the date for the referendum on self-determination came six years on, they would vote with their hearts—for independence.

Just a few months after the CPA was signed, Garang's helicopter crashed into a mountain on the Uganda-Sudan border, in July 2005. Southern Sudanese rioted, and Northern liberals who had long cherished the dream that Garang could bring a modern democracy to their country quietly mourned. Garang's successor as first vice president in the Government of National Unity, Salva Kiir, has made reconciliation among Southern factions his priority; only in recent weeks has the SPLA begun to build a national political party to contest elections.

Taha had gambled that peace would create a new politics in Sudan. But when Garang's body was laid to rest, Taha's star dimmed sharply. As Khartoum's party operators and security chiefs realigned themselves amid the flux of intra-elite intrigue, it became clear that few in the Cabinet believed in the spirit of the CPA. Without strong leadership to rein it in, the security cabal reverted to its vicious games, fomenting discord among the Southern tribes and going slow on giving the South its half share of the oil revenues.

The spirit of peace and democracy that infused the North–South agreement is gone, and there's no strategic plan for how to revive it.

To salvage his strategy of unity through democracy—and to save his own political skin—Taha now needed the United States to deliver on its promise of improving relations between Washington and Khartoum. But the United States would not move on this until there was a deal on Darfur. Having initially seen the Darfur conflict as little more than an irritating sideshow to the North-South war, the Administration was pressed by an unprecedented mobilization of college students and community groups, who branded Darfur "the first genocide of the twenty-first century" and insisted that the United States had a responsibility to stop it. This mass movement scored some impressive victories: Colin Powell labeled the Darfur killings "genocide" in September 2004, the case was referred to the International Criminal Court by the UN Security Council in March 2005 and the White House handed down an instruction that there should be a peace deal and that the small African Union peacekeeping contingent should be upgraded to a sizable UN force.

Taha's hope was that an accord with the largest of the Darfur rebel groups—the SLA, headed by Abdul Wahid al-Nur—would translate into an electoral pact that would allow the NCP to emerge from the 2009 elections as head of a ruling coalition. This was a tricky piece of political engineering to pull off—not only did Taha have to convince the rebels; he needed to get his own government behind the plan. Indifferent to whatever moral condemnation was heaped upon them, Khartoum's security chiefs were intent on a new military offensive, confident that by fomenting insurrection in Chad they would cut off the rebels' rear base and force them to submit.

After months of painfully slow negotiations, last May a combination of African leaders, US Deputy Secretary of State Robert Zoellick and a host of other international diplomats managed to obtain the signatures of Khartoum and Minni Minawi (chief rival to Abdul Wahid in the SLA) on the Darfur Peace Agreement. But against the wishes of most of his delegation, Abdul Wahid refused to sign. A little more flexibility by the African Union and the United States might just have pulled off a deal, but Abdul Wahid was also banking on outside military intervention that would drive the Sudanese army from Darfur. He was ill advised—he should have known that neither the United States nor the Europeans were ready to commit to fighting Khartoum's army on his behalf.

The Justice and Equality Movement also refused to sign. They and other holdout factions began a military offensive last summer. The Sudanese army has tried to enlist the Minawi faction as its shock troops, but without much success. More ominous for Khartoum, many among Darfur's Arab tribes—most of which have until now remained neutral in the conflict—are shifting toward the rebels. (The depiction of the Darfur war as "Arabs" versus "Africans," always simplistic, is becoming more and more of a misrepresentation as the conflict drags on.) But although they are winning the battles, the holdout rebels are politically fragmented and have no plan for what to do with their military momentum. Most of them want to go back to the negotiating table, but they won't do so unless they get the chance to revise the text of the Darfur Peace Agreement.

Khartoum hasn't stuck by its commitments under the agreement. There has been no effort to disarm the Janjaweed militia, and the one rebel signatory, Minawi, has been given no real power. The relative lull in fighting of 2005 has been replaced by escalation in many areas. Although the level of atrocities is still far below what happened when the government-Janjaweed counteroffensives rampaged through North and West Darfur three years ago, lawlessness is now at such a level that humanitarian operations are more restricted than at any time since those dark days. Should relief access deteriorate still further, the health and lives of millions will be threatened.

The African Union peacekeepers—a mere 7,000 troops to cover a territory as large as France—cannot stop the violence. Taha had signaled that Khartoum would agree to a handover from the AU to an enlarged UN force, but when the UN Security Council passed Resolution 1706 last August 31, authorizing 20,000 blue helmets—and implying that it might impose them without Khartoum's consent—President Bashir overruled his more accommodating colleagues and army generals and drew a red line. He categorically rejected UN troops in Darfur, thereby cementing Taha's marginalization, and ominously declared that the Sudanese army would bring peace to Darfur.

Bashir fears that UN troops would have an open-ended mandate to arrest anyone indicted by the International Criminal Court and that authorizing international troops to use force on his territory would be a Trojan horse for a takeover à la the US invasion of Iraq. In naming the first two war crimes suspects on February 27, the ICC was carefully respectful of Sudan's sovereignty, giving Bashir the opportunity to cooperate in handing over the two men. But he is unlikely to take this way

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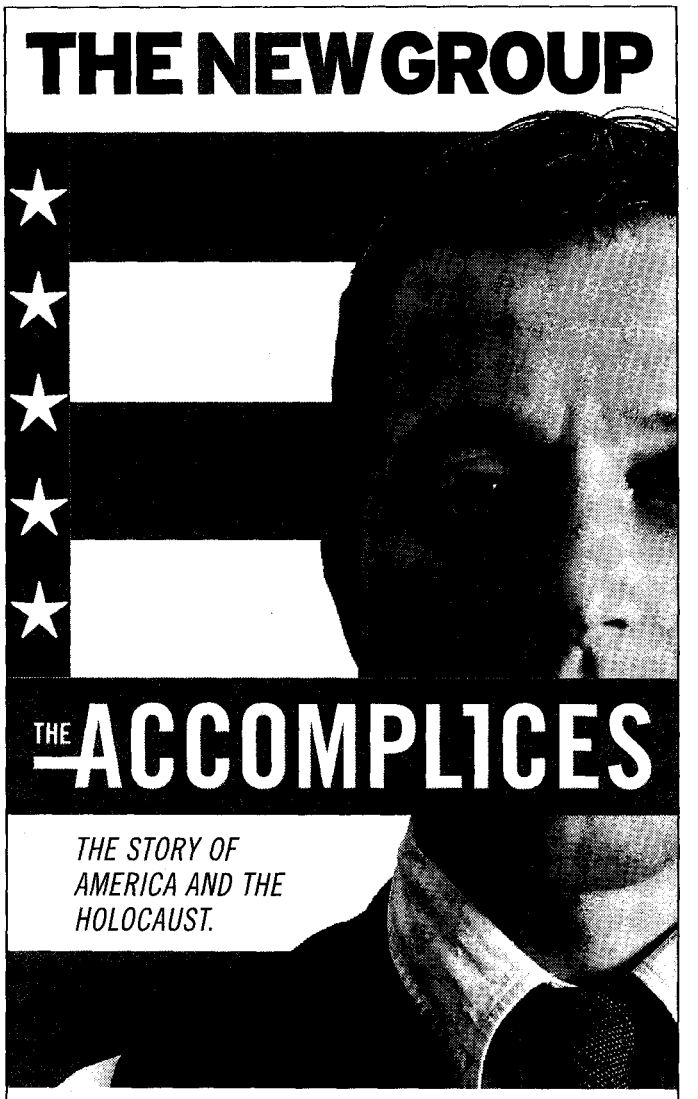
out—as long as he believes the Western agenda is one of regime change, no pressure in the world will be sufficient for him to yield. What he has reluctantly conceded is a limited role of UN support to the existing African Union force. Recent diplomatic arguments have been over the makeup of such a force, but there's no strategic plan for how to achieve stability in Darfur. Security cannot be imposed with 20,000 troops, or even 100,000 troops, in the absence of a peace agreement. An effective peacekeeping operation will be nine parts community liaison and political intelligence to one part force. This requires a long-term vision of how peacekeepers will work with tribal chiefs and the men who run village self-defense groups to bring security, peace and reconciliation to the region. But what's needed first is a political deal.

In January UN special envoy Jan Eliasson promised to reconvene talks with the rebels. The plan as it stands today sounds suspiciously like the failed formula from last May: a deadline to sign on to a document the rebels don't want to accept. Bitter and fragmented but militarily confident, the rebels are no easier to negotiate with than Khartoum's wily leaders. For anything to work, the steps must be taken in the right order: cessation of hostilities, a rebel conference to choose new representatives, proper monitoring of a cease-fire and confidence-building steps, and then negotiations—with a credible mediator and sufficient time to hammer out the issues. Shortcuts will just bring more failure.

As Darfur's travails continue, Sudanese confidence in the North-South democratization process promised in Naivasha is ebbing. The spirit of peace and democracy that infused the accord is gone, and there's no strategic plan for how to revive it—or cope with its absence. The signs of possible collapse are worrying. At the end of November, a disagreement over who should take a senior army post in the Southern town of Malakal led to a fierce battle between the SPLA and a militia group that had been backed by Khartoum during the war and still retains its links with military intelligence. Peace was restored by the prompt action of both commands and the intervention of UN peacekeepers, but not before more than 300 people, many of them civilians, had been killed. The clash wasn't planned, but it showed the vulnerability of Southern Sudan to irruptions of violence.

Disputes over security arrangements are the most likely flash point, but there are others. The commission for demarcating the North-South boundary has not begun its work. The most contentious area is Abyei—an enclave of ethnic Southerners historically administered as part of the Northern region of Kordofan—where an independent commission has produced a border ruling that Khartoum categorically rejects. Lucrative oil concessions lie precisely in this disputed area. In addition, the key condition for a free and fair election, a credible national census, has yet to begin. Under these conditions, elections might themselves be the focus of violent conflict, and Khartoum's lawyers may dream up any number of reasons for rejecting the results of a referendum on self-determination that doesn't go their way.

Resolution of Sudan's crises must be guided by two realities. The first is that a popular vote for separation of the South is far more likely than a vote for unity. Most Southern Sudanese say they are waiting patiently for the 2011 referendum. If that vote is free and fair, most will vote for independence. The wishes of the



BY BERNARD WEINRAUB
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Southern electorate must be respected and the outcome implemented smoothly and peacefully. But planning for the transition should begin now. The best option is to explore the possibilities for mutually advantageous coexistence by future new states of Southern and Northern Sudan. This requires a pre-referendum pact insuring Khartoum's legitimate economic and security interests in the South, along with the South's interests in the North. If this or something similar isn't done, the prospects for massive bloodshed and humanitarian crisis are dark.

The second reality is that Khartoum's security cabal and NCP operators are sufficiently powerful that they can thwart any plan if their core interests are not taken into account. The choice will be between a soft landing for Bashir and a new conflict that puts at risk the peace of Naivasha and deepens the crisis in Darfur. Opinion polling is not advanced in Sudan, but internal surveys by Northern political parties indicate that a coalition government will be needed. It would be reasonable to begin working on a pre-election pact insuring that the NCP will remain a part of any such coalition, and that there is consensus on the key policy questions facing the new government. If there's an agreed end-state that guarantees a role for Bashir, it will be possible to exert pressure on him to play by the rules. But no amount of sanctions and threats will push him down a road he believes will lead to his demise.

Bashir and his cabal have been pushed to the wall by economic and political sanctions before, and survived. They can do so again—their funds, now considerably swollen by increased oil revenues, are hidden away in Saudi and Swiss bank accounts. A no-fly zone in Darfur is a more realistic option. In the security arrangements chapter of last May's Darfur Peace Agreement, Khartoum already committed itself to ending hostile military flights and allowing intrusive monitoring of its air bases—provisions that add up to a no-fly zone and that could be implemented more simply than overflights by NATO fighters. On the other hand, last October's proposal by former Clinton Administration officials Anthony Lake and Susan Rice for a Kosovo-style bombing campaign would in reality be a declaration of war on Sudan, with incalculable consequences. It is much better to focus our energies on reconvening talks on Darfur, alongside new attention to salvaging the Naivasha Agreement. The core principles of power-sharing, democratization and self-determination for the South should be inviolable, but the means for realizing these goals must be re-examined.

After the ravages of Sudan's first civil war, it should have been unthinkable for Northern and Southern leaders to contemplate resolving their differences through force of arms. But war creates war. The military mentality had become so embedded among Sudan's politicians that fighting was not only thinkable, it was the default option. Today, despite the palpable disasters brought by a history of unremitting violence, there are still men ready to fight, or to order others to fight. Leaders on both sides know that a new war would be a catastrophe for all. It would begin with violence in the cities and lead to the disputed secession of the South. The certainty of such disaster has not prevented warmakers in the past and will not do so again. What can prevent it is a coordinated strategy for a stable, managed transition to democracy. That, we do not have. ■

WHY DC LOBBYISTS AND MONTANA EXECUTIVES LOVE DEMOCRATIC SENATOR MAX BAUCUS.

K Street's Favorite Democrat

ARI BERMAN

In October 2005 Republican lobbyist Leo Giacometto hosted a NASCAR Fundraiser in Georgia. For $2,500 a pop donors received breakfast at the Ritz-Carlton and a day at Atlanta's famed Motor Speedway. Giacometto, a former chief of staff to Montana GOP Senator Conrad Burns—disgraced lobbyist Jack Abramoff's favorite senator—has been involved in a number of tawdry political scandals, raising questions about why any elected official would want to be associated with him. But the most interesting thing about his NASCAR party was the identity of the guest of honor: not a fellow Republican but the Democratic senator from his home state, Max Baucus. To Giacometto, Baucus, the ranking Democrat on the powerful Senate Finance Committee, was not a partisan adversary but a useful and valuable ally. "I believe that he's good for what I believe in," the lobbyist told the *Billings Gazette*.

ROB SUSSMAN

Today, in the aftermath of the Democratic sweep of Congress, Baucus is still one of corporate America's favorite Democrats. As chair of the Finance Committee, he counts among his friends and political supporters a Who's Who of bankers, oilmen, ranchers, pharmaceutical lobbyists and Wall Street executives. He's particularly close to Montana's sole billionaire, industrialist Dennis Washington, a major donor to the Republican Party whose business interests Baucus has promoted over the years. The business community, in turn, expresses admiration for Baucus in its usual style—by writing big checks.

The Finance Committee has always had an incestuous relationship with corporate lobbyists, and with Baucus at the helm, the tradition continues. In their book about the tax reform act of 1986, authors Jeffrey Birnbaum and Alan Murray coined a term for the lobbyist-packed hallway outside the Finance Committee

Ari Berman, a Nation *contributing writer based in Washington, DC, is a Puffin Foundation writing fellow at The Nation Institute.*

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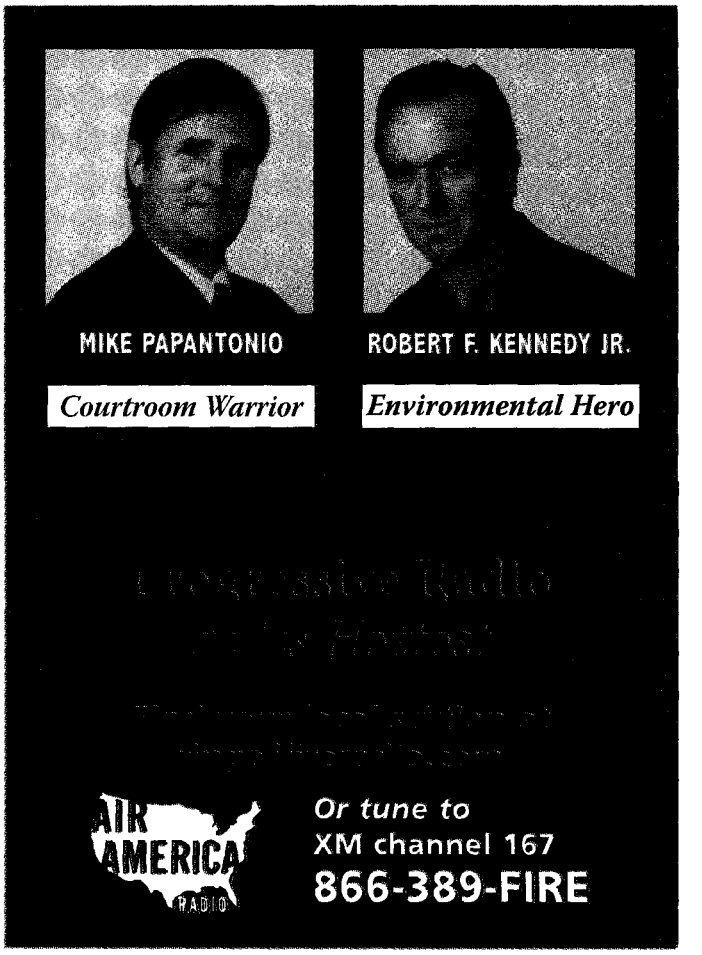
hearing room: Gucci Gulch. With jurisdiction over taxes, Social Security, Medicare, healthcare and international trade, the committee is the place that raises all the government's money and spends half of it. "It really is the committee, more than any other, that decides what kind of government you have," says Lawrence O'Donnell, former chief of staff of the Finance Committee, whose chair was Daniel Patrick Moynihan.

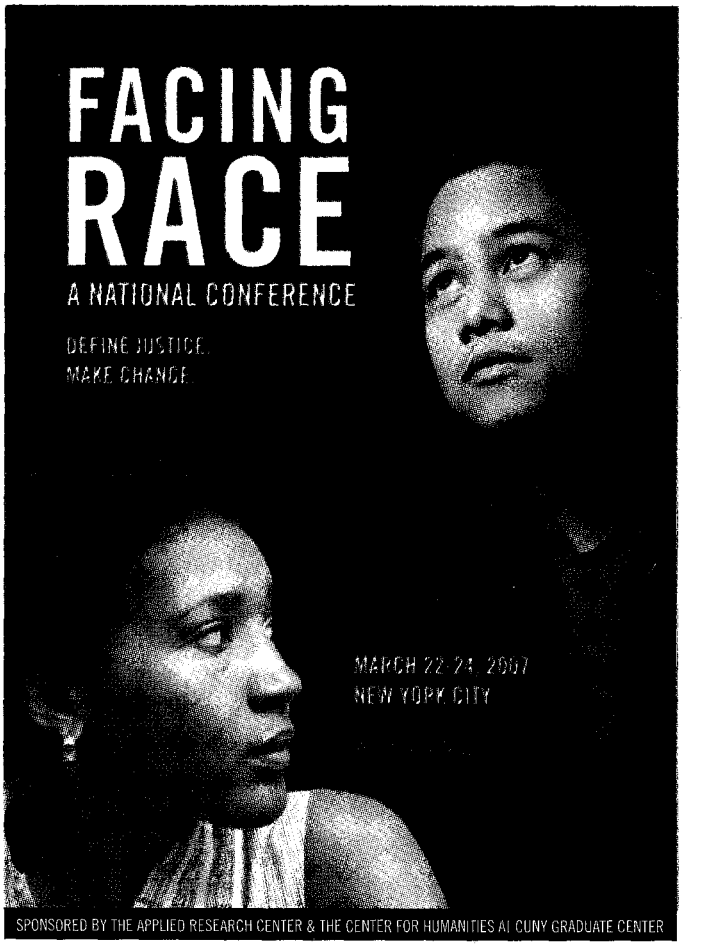
The rap on Baucus is that he has always valued his own reelection above all else. He's up again in 2008. The question is: What is he sacrificing to get there? When Democrats were in the minority, Baucus brokered the passage of two of George W. Bush's signature first-term achievements: his massive 2001 tax cuts and his 2003 Medicare prescription drug plan. He's spent the better part of the Bush presidency cutting deals with Republicans and infuriating members of his own party, voting for the war in Iraq, the energy bill, the bankruptcy bill and to confirm Supreme Court Justice John Roberts. On core economic issues, the very ones that come before his committee, only one Democrat, Nebraska's Ben Nelson, has a more conservative voting history, according to *National Journal*.

To be sure, not everything Baucus does is heresy to fellow Democrats. He's always been solidly progressive on issues like choice and the environment. After some initial pressure, he led the effort by Senate Democrats to block the privatization of Social Security. He recently came out for ending the conflict in Iraq (his nephew Philip, a Marine corporal, died in Anbar last July) and for providing all Americans with healthcare. Back home, he's one of the most popular politicians in Montana. In recent years the state has moved leftward, but there's mixed evidence on whether Baucus is currently following or resisting that trend. Unlike a deeply polarizing figure like Joe Lieberman, Baucus is not a rigid ideologue; he's a dealmaker. That's one of the reasons corporate America likes him so much.

As big business shifts to playing defense in Congress, Baucus will be one of its go-to guys. As chairman, Baucus says, he wants to operate by consensus and work across the aisle. "With the Democratic majority, it's an opportunity to be practical, to be pragmatic, to get results," he told me during an interview in his Capitol office, between votes on the minimum-wage bill. In the past, those results have often benefited big corporations and the Republican Party. Will they be any different now that Baucus is chairman? The Bush Administration is probably too weak for Baucus to again shepherd through a major pact. But he can still temper, dilute or block initiatives by his Democratic colleagues, deciding at any given moment whether an important piece of progressive legislation lives or dies.

Baucus seems like an accidental senator: not especially well spoken, engaging or smooth, though he looks the part with a tall athletic frame, mop of shiny gray hair and strong cleft chin. He speaks in a staccato monotone, smiles awkwardly by exposing his top teeth and rarely displays the backslapping manner customary in Washington. At Finance Committee hearings, the most remarkable thing about Baucus—other than his deference to the ranking Republican, Charles Grassley—is how unremarkable he is. He's managed to rise in the Senate simply by sticking around. Elected to the Senate in 1978, the son of a wealthy ranching family, Baucus was little known

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before he became the ranking Democrat on the Finance Committee in 2000.

That soon changed. After helping to craft the largest tax cut in a generation, Baucus raised more than $1 million in campaign contributions from the financial sector for his 2002 re-election campaign. Opening doors in both directions were former Baucus staffers. During the debate over whether to add a $400 billion privately run prescription-drug plan to Medicare, his former chief of staff, David Castagnetti, and legislative aide, Scott Olsen, were part of the Pharmaceutical Research and Manufacturers of America's $8 million lobbying effort. Shortly after the legislation—written largely by the pharmaceutical industry—passed, Baucus's top staffer on the Finance Committee, Jeff Forbes, left to open his own lobbying shop, with clients including PhRMA, the drug maker Amgen and the American Health Care Association. These companies have in turn donated generously to Baucus; almost $700,000 between 2001 and 2006 from the healthcare industry and pharmaceutical lobby.

A study last year by Public Citizen found that between 1999 and 2005 Baucus, along with former Senate majority leader Bill Frist, took in the most special-interest money of any senator. He tops the list of recipients from business PACs. And only three senators have more former staffers working as lobbyists on K Street (at least two dozen in Baucus's case). Now that he's chairman, "former aides of Baucus, in particular, have been in demand on K Street by companies that hope to limit damage to their business interests," reports *Congressional Quarterly*.

"We see the world in the same way he does," says Greg Mastel, a former chief of staff to Baucus who now works as a lobbyist for Miller & Chevalier, representing clients like Home Depot and Eastman Chemical. "To me, a moderate Democrat as chairman of the Finance Committee is a good thing."

'We see the world in the same way he does.' —Greg Mastel, lobbyist for Home Depot, former Baucus chief of staff

In recent years Baucus has not been shy about reaching out to K Street for campaign contributions. In February 2005 he asked fifty lobbyists to raise $100,000 each for his 2008 re-election campaign. Two lobbyists who attended told CNN that they "have never gotten such an aggressive pitch from a senator." In 2006, as the Abramoff scandal heated up, Baucus removed lobbyist William Oldaker as treasurer of his PAC. But his longtime fundraiser, Shannon Finley, recently left to join other former Finance Committee staffers at a new firm, Capitol Counsel, which principal John Raffaelli said will give corporations "the best opportunity to present their case."

Since becoming chairman, Baucus has sent out three invitations to upcoming big-ticket ($2,000 per person, $5,000 per PAC) fundraisers for his Glacier PAC, including "skiing and snowmobiling in Big Sky" and fly fishing and horseback riding at "Camp Baucus" in August. Baucus says that raising money from lobbyists at such gatherings "has no effect, none whatsoever, on my thinking."

Pat Williams, a liberal Congressman from Montana from 1979 to 1997, says his former colleague "is hardworking and puts Montana first." But, adds Williams, Baucus doesn't take the clear stands on difficult issues that would keep lobbyists away. "He is simply bombarded by interests trying to persuade him," says Williams. "He's like a tin plate on the ocean being pulled this way and that."

Baucus is off to an inauspicious start as chairman, beginning with his handling of minimum-wage legislation. On the day the House of Representatives passed a federal wage increase by a vote of 315 to 116, Baucus held a hearing on Tax Incentives for Businesses in Response to a Minimum Wage Increase. Of the five testifying witnesses, only one expert, Jared Bernstein, senior economist at the Economic Policy Institute, advocated a "clean" bill without the tax breaks. "I've been on minimum wage panels for years," says Bernstein, "and this was no better than the ones during the Republican era." The Finance Committee subsequently attached $8.3 billion in tax breaks for small business to the legislation. "People like to vote for tax cuts," Baucus told me afterward.

Baucus's Democratic colleagues were furious that he didn't even try to advance a clean bill. "Maybe he doesn't have a strong feel for the depth of support that this bill has," House Ways and Means chair Charles Rangel, Baucus's House counterpart, told the *Wall Street Journal*. In a private caucus meeting, Ted Kennedy, the leading advocate for a clean bill, personally assailed Baucus. "He got railed in there," one observer said later. A provision in the bill, reportedly slipped in by Grassley, that encourages employers to contract with staff leasing companies, making it harder to unionize temporary human resources employees, particularly angered the coalition of labor groups that supported the House version. "The Finance Committee operates like there's been no election," says one labor leader. (The House passed a much smaller package of tax cuts on February 16 and is currently reconciling its version with the Senate's.)

But lobbyists for the tax breaks were overjoyed. "We wholeheartedly supported the way they approached that," says Chris Walters, a tax lobbyist for the National Federation of Independent Business, one of Washington's most potent business groups. Added Walters colleague Amanda Austin, "He'll be a good advocate for us going forward."

Baucus has rarely seen a tax cut he didn't like. Unlike many Democrats, he wants to extend Bush's 2001 tax cuts. And he's still seeking a compromise on the estate tax, whose repeal he supported last summer. Would he still like to find a way to reform the tax? "Oh, yeah," he says. "Senator Baucus has been interested in it before and could be in the future," says Dorothy Coleman, vice president of tax and economic policy at the National Association of Manufacturers, another powerful DC business group lobbying for "death tax" repeal.

Taxes are not the only issue on which Baucus parts from the majority of his colleagues. In early January he wrote an editorial in the *Wall Street Journal* calling on Democrats to renew Bush's fast-track authority for international trade deals. Given that most Democrats elected in 2006 campaigned against agreements like NAFTA and CAFTA, the editorial was a provocative move. Byron Dorgan, chair of the Senate Democratic Policy Committee,

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took the unusual step of rebuking Baucus in a letter to the *Journal*. "There is, indeed, a growing Democratic consensus on trade—but in the opposite direction," Dorgan wrote. The chairman of the taxation committee in the Montana Senate went further, passing almost unanimously a resolution urging Baucus to oppose fast-track authority. Under growing pressure from his colleagues, Baucus has since called for attaching tough, enforceable environmental and labor standards to any fast-track accord and restoring a measure of Congressional oversight. But he remains a committed proponent of economic neoliberalism. "We can't be protectionist, or other countries are going to pass us by," Baucus says.

On Medicare, too, Baucus has failed to address the deep flaws in policy he helped write. The House Democrats' "100-hour plan" included a provision instructing the government to negotiate lower drug prices under Medicare. Baucus had voted against such amendments in the past and after the election refused to show his hand. Eventually, he agreed to support the repeal of the "noninterference clause" in the law but declined to require the Secretary of Health and Human Services to negotiate, thereby taking any teeth out of the bill. And he couched his statement in supply-side rhetoric. "I see nothing that warrants heavy-handed intervention in this market," he said in a statement. "We should proceed cautiously with any legislation." PhRMA has blanketed newspapers and television screens with ads praising the Medicare law and opposes plans circulated by many Democrats to create a government-run drug benefit—the only step, experts contend, that will significantly lower prices. Baucus is close to the organization. His new health counsel, Michelle Easton, came to his office after a stint at PhRMA.

"I'm a very proud Democrat," Baucus likes to say, "but I'm a Montanan and an American first." Over his career, Baucus has used his red state roots as an excuse to vote for egregious pieces of Republican-written legislation. Yet though Montanans are strongly libertarian on issues like gun control and personal freedom, the state is no longer the GOP stronghold it once was. It recently elected two "prairie populist" Democrats, Governor Brian Schweitzer in 2004 and Senator Jon Tester in 2006. In both stylistic and substantive ways, Schweitzer and Tester differ from Baucus. Schweitzer is a colorful-talking, snappy Western dresser who bemoans trade deals ("I was a critic of NAFTA, I was a critic of CAFTA and I'll be a critic of Shafta"), refuses to take PAC money and has made energy independence a near crusade. Tester is a burly organic farmer with a flat-top haircut who lost three fingers in a meat grinder and campaigned against the Iraq War and the Patriot Act.

Schweitzer and Tester both praise Baucus, at least publicly, in part because of his success in steering federal funds to Big Sky country. "I work very closely with Max, and I think it's important that Max is at where he's at," says Schweitzer. "If he swings the bat away from the core of the Democratic Party at times, get used to it." But Schweitzer admits that on economic issues, he and Tester see the world differently from Baucus. "I would define him as less of a populist than Tester and myself," Schweitzer says. Montana is the forty-ninth-poorest state per capita in the country, with a history of robber barons that people

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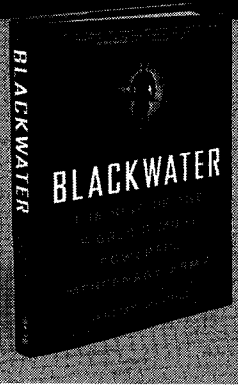

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still remember. Montanans, according to Tester, think corporate America "bears watching." And they don't much care for lobbyists, either, he says. "The election was an indication they didn't like the undue influence lobbyists had."

Baucus is more at home with Montana's elites. His relationship with billionaire Washington is of particular significance. "Max is the only Democrat that Dennis Washington has consistently supported, financially and politically, with a great deal of enthusiasm," says Milton Dotsopolous, a trial lawyer from Missoula who advises Washington politically. "He appreciates the fact that Max doesn't always purely toe the party line." In 2002 the Washington Group donated $60,000 to a 527 campaign organization operated by Baucus. And in 2005, Washington held a fundraiser for the Democratic Senatorial Campaign Committee at his ranch.

It is a mutually beneficial friendship. In 2003 the Environmental Protection Agency drew up a plan to clean up a Superfund site at Milltown dam in Missoula and place the waste just downstream. But Baucus, citing environmental concerns, urged that the sediments be moved upstream, by rail, to an existing repository more than 100 miles away. Such a step, Baucus conceded, would be "significantly more expensive," the *Missoulian* reported. It just so happened that Dennis Washington owned both the company that would remove the waste, Envirocon Inc., and the railroad, Montana Rail Link, that would transport it. Baucus eventually got his wish. The contract, which has never been disclosed, is said to be worth roughly $100 million. "I met with Max and talked with him about it," says Dotsopolous. "But he was more driven by the public policy interests."

Despite such handouts to the wealthy, Baucus has managed to stay in touch with the rest of the state. With a Montana approval rating of 68 percent, he's one of the most popular senators in the country.

That may be changing, however. Montana Democrats, who feel invigorated after recent victories, are talking of running a primary opponent against him in 2008. Others think a progressive challenge to Baucus, or political trends in the West, could turn him a darker shade of blue. "The environment is changing in this part of the country, and it will be less suicidal for Democrats to be more progressive in the future," predicts Jim Farrell, executive director of the Montana Democratic Party.

Political pressure in Montana is starting to have an effect on how Baucus operates back in Washington. He plans to hold "lots of hearings" on how to invest seriously in renewable energy and wean the United States off foreign oil. He's urged the Treasury Department to crack down on tax shelters and loopholes and wants to cap the amount of pay corporate executives can defer tax free. He opposed the Administration's pick for Deputy Commissioner of the Social Security Administration because of the nominee's past support for privatization. His top priority, he says, is extending children's healthcare. His rhetoric in calling for universal coverage is particularly striking, given his past timidity on the issue. "For healthcare, the season of incremental change is coming to an end," he recently said.

Yet even as he makes overtures to Main Street, Baucus remains supportive of Bush policies, a schizophrenic figure who denounces the Administration one minute and compromises with Republicans the next. While House Ways and Means chair Rangel has held hearings on the "economic and societal costs of poverty," it's difficult to imagine Baucus taking similar steps.

The minimum-wage fight between the House and Senate could become the first of many disputes over economics and ideology. Who prevails will be an important indicator of how far the Democratic majority plans to push the mandate voters gave them November 7. And the role Baucus plays in that battle will make clear whether his mild nods to the left are the start of a meaningful shift or whether his real friends are still on K Street and in the White House. ■

LETTERS
CONTINUED

(Continued From Page 2)

Washington, DC

■ I couldn't disagree more with Professor Levinson when he says the Founders deliberately limited impeachment to criminal activity. They regarded impeachment as the way to remove a President, or other high officials, for misconduct. James Madison, for instance, said that a President who had come under "suspicion" could even be "suspended" pending impeachment. Andrew Johnson was worried that Congress would do that to him, and he was talking about calling up the armed forces.

Madison, who surely knew what the Framers meant, said in a House speech in 1789 that a President could be removed from office just for firing good men. Unfortunately the House, debating Johnson's impeachment in late 1867, took the position that criminal activity was needed. But that's not what the Framers thought. Abuse of power is what they had in mind. The bottom line is that an impeachable offense is, as Gerald Ford once argued, whatever Congress says it is.

The House Judiciary Committee in 1867 accused Johnson of "corrupt abuse of the appointing, pardoning and veto powers," especially in granting pardons to qualify rebel officers for election to state office, when their popularity rested on "their known hostility to the government of the Union." The House debate boiled down to whether the impeachment power was broad enough or whether it required a showing of indictable crimes. The House voted 108 to 57 for indictable crimes. Months later the Senate, confronted with a law with criminal provisions but that many thought unconstitutional, refused by a single vote to convict him. The vote in the House months earlier to impeach the President for abuse of power was completely in accord with what the Framers had in mind.

GEORGE LARDNER
Center for the Study of the Presidency

221B BAKER STREET, LONDON

Bend, Ore.

■ This is so old, so last year—you thought you'd got all the cluck-clucks you were going to get from the Conan Doyle crowd. But I have a habit of stashing away my *Nation*s and getting to them whenever I have a break from cleaning out the chicken coop. On page 35 of the November 27 issue, you give 21B Baker Street as Sherlock Holmes's address. First error I've ever caught in *The Nation*. Congratulations on an awe-inspiring copy desk.

PEGGY CORBIN

We thank Ms. Corbin for 221 B. *We have deduced from her neat handwritten message, penned in ballpoint on a Protect the Seals notecard, that she is a right-handed Luddite of a certain age; a smoker who is trying to quit; and a woman possessed of an exquisite taste in publications, a kind heart, a sharp eye and a crazy uncle living in São Paulo. Elementary.* —*The Editors*

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BOOKS & THE ARTS

Human, All Too Human

ADAM LEBOR

A SHAMEFUL ACT: The Armenian Genocide and the Question of Turkish Responsibility.
By Taner Akcam.
Metropolitan. 483 pp. $30.

TERRIBLE FATE: Ethnic Cleansing in the Making of Modern Europe.
By Benjamin Lieberman.
Ivan R. Dee. 396 pp. $27.50.

THE DARK SIDE OF DEMOCRACY: Explaining Ethnic Cleansing.
By Michael Mann.
Cambridge. 580 pp. $24.99.

GENOCIDE IN THE AGE OF THE NATION STATE: Volume I.
By Mark Levene.
I.B. Tauris. 266 pp. $45.

GENOCIDE IN THE AGE OF THE NATION STATE: Volume II.
By Mark Levene.
I.B. Tauris. 463 pp. $59.95.

In the winter of 1992, at the height of ethnic cleansing in Bosnia, I interviewed a group of Bosnian Muslim refugees who had found sanctuary in the Croatian city of Karlovac. Their accounts were confused and confusing, but they shared a common thread. One after another, the refugees reported that when the Serbs arrived in their towns and villages they immediately rounded up community and religious leaders, teachers and intellectuals. They were the first to be executed. I was not sure whether to believe these traumatized, shattered survivors. I should have.

It is one of history's darker ironies that the Serb paramilitaries of the 1990s who wiped out Bosnia's Ottoman heritage used ethnic cleansing methods honed by the Ottoman army eight decades earlier. The Turks deployed the Bashi-Bazouks, former criminals released from prison, during the Armenian genocide in 1915. The Bashi-Bazouks lived off plunder and were granted a free hand to murder and rape. When the campaign against the Armenians began, Turkish soldiers sealed off each community and rounded up its leaders and other notables. They then executed them in the public square. Many of the Serb paramilitaries who committed the worst atrocities in Bosnia were also criminals, released by Serbian President Slobodan Milosevic to do the regime's dirtiest work. Like their Turkish predecessors, the Serbs too had lists, we now know, of those slated for execution when the ethnic cleansing began. The men of Karlovac were telling the truth.

Genocide, or what we now define as genocide—the intentional destruction of a national or ethnic group—is not a modern crime. The Bible records repeated incidents of the warring peoples of the Near East annihilating each other, but *genocide* is a modern term. It was invented by a Polish-Jewish lawyer named Raphael Lemkin. During the 1930s Lemkin lobbied the League of Nations, the predecessor of the United Nations, for laws against the destruction of a people. In 1944 he published *Axis Rule in Occupied Europe: Laws of Occupation, Analysis of Government, Proposals for Redress*, the first work to contain the word *genocide*, from *genos*, Greek for people or race, and *caedere*, Latin for to cut or kill. Paradoxically, while genocide continues to take place, the word has become so powerful that, to paraphrase Oscar Wilde, it has almost become "the crime that dare not speak its name."

While the term genocide *is modern, the annihilation of one human group by another has occurred at least since biblical times.*

Consider the strange, if not perverse, reluctance of one of the primary bodies charged with prosecuting war criminals to

Adam LeBor's most recent book is Complicity With Evil: The United Nations in the Age of Modern Genocide *(Yale). In May Norton will publish his* City of Oranges: An Intimate History of Arabs and Jews in Jaffa.

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deliver a guilty verdict for genocide. Gen. Radislav Krstic was the commander of the Drina Corps of the Bosnian Serb army, which carried out much of the killing at Srebrenica, where in July 1995 8,000 Bosnian men and boys were murdered. Krstic was indicted by the UN International Criminal Tribunal for the Former Yugoslavia (ICTY) in 1998 on six counts of genocide and crimes against humanity. In August 2001 he was found guilty of genocide and sentenced to forty-six years in prison. But the sentence was later reduced on appeal, to thirty-five years, when the ICTY found Krstic guilty of the lesser charge of aiding and abetting genocide.

The former speaker of the Bosnian Serb "parliament" Momcilo Krajisnik was sentenced in September to twenty-seven years in prison for his role in organizing the ethnic cleansing campaigns in 1992. Krajisnik was the most senior Serbian indictee to be held at The Hague since the death of Milosevic. He was found guilty of five counts of war crimes, including persecution, extermination and forced transfer. Judge Alphons Orie said that Krajisnik had played a crucial role in conducting war crimes, and that the *actus reus* (guilty act) of genocide had occurred. Nevertheless, the judges acquitted Krajisnik of genocide, arguing that they had not received sufficient evidence of genocidal intent to destroy the Bosnian Muslim and Bosnian Croat ethnic groups. What this means is that the ICTY has ruled that genocide did take place at Srebrenica in July 1995 and in eastern Bosnia in 1992, but as of February 2007 no one has been found guilty of actually committing these acts of genocide. On February 26 the International Court of Justice, which deals with disputes between states, ruled that Serbia was not guilty of genocide but had failed in its obligations to prevent it at Srebrenica, further confusing matters.

A similarly arid debate shapes the discourse over Darfur. The Bush Administration claims that a genocide is occurring there but refuses to act under its obligations as a signatory to the Convention on the Prevention and Punishment of the Crime of Genocide to stop the killing. The UN refuses to use the G-word at all. In January 2005 it released a 176-page report on Darfur. It recorded that government forces and their proxy militia, known as the Janjaweed, engaged in widespread and systematic murder, rape and other forms of sexual violence, torture, pillaging and forced displacement. The report noted that despite the fact that two elements of genocide "might be deduced"—the act of killing and the targeting of a particular group—"the crucial element of genocidal intent appears to be missing." As if that weren't opaque enough, it added that some individuals may have committed acts with "genocidal intent."

This endless hair-splitting greatly aids states that perpetrate genocide. If nobody knows what genocide is, then how can anyone be guilty of committing it? It detracts from the more important debate of how to stop the ongoing killing in Darfur. Wrongly viewing Darfur through the prism of the Iraq War, much of the left, both in the United States and Europe, seems paralyzed by the fear of being seen to support another overseas adventure. For all its complications—pre-existing conflicts over water and agricultural land, desertification and arbitrary international borders—the crisis in Darfur is also simple. The Sudanese government is waging a sustained campaign of murder, ethnic cleansing and displacement against the people of Darfur, a campaign extensively documented by the UN, Human Rights Watch and Amnesty International, among others. The slaughter could be curtailed or even brought to a close without Western military interven-

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tion. Such steps might include: deploying UN troops inside Sudan; deploying peacekeepers in Chad to prevent cross-border raids; targeted sanctions on Sudan's oil industry; targeted sanctions on Sudanese government ministers, army and intelligence officers; using US trade as a weapon to pressure China, Sudan's main sponsor, to stop the carnage; and even threats to boycott the Beijing Olympics.

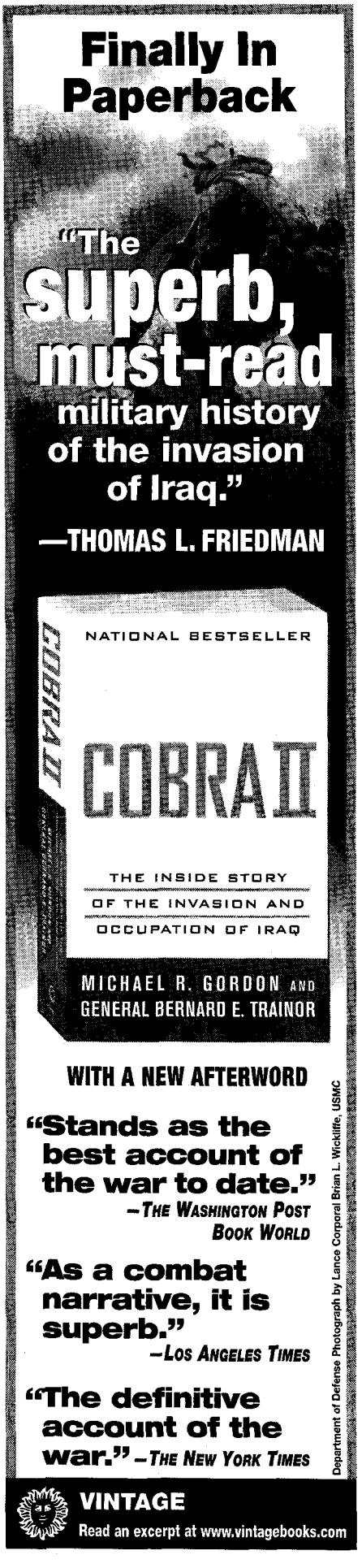
The obfuscation of the facts also buttresses the determination of nations that have committed genocide to punish those few citizens who dare to speak out. Consider, for example, the case of Turkey, which still refuses to acknowledge its responsibility for the twentieth century's first genocide. A major difference between the destruction of the Bosnians and that of the Armenians is that the former has been thoroughly documented—most thoroughly in the United Nations' own reports. (Though unable to prevent or stop genocide, the UN is extremely proficient at documenting it, as evinced by its dossiers on Bosnia, Rwanda and Darfur.) Yet even now in Turkey, a country that seeks admission to the European Union, it remains hazardous to discuss the actual fate of the Armenians. In 1915, about 1 million Armenians were killed by deliberate murder, enforced starvation and forced marches into barren plains with no food or water. Turkey admits that between 300,000 and 600,000 Armenians died but blames the general chaos of war. Those who contradict the official version are dealt with harshly. The novelists Orhan Pamuk, who won the 2006 Nobel Prize in Literature, and Elif Shafak have both faced charges for the thought-crime of "insulting Turkishness," which can bring three years in prison—Pamuk for telling a Swiss newspaper that "30,000 Kurds and 1 million Armenians were killed in these lands, and nobody but me dares talk about it," Shafak because of a few lines about the genocide spoken by an Armenian character in her novel *The Bastard of Istanbul* [reviewed in this issue]. The charges were dropped in both cases, but more recently another writer accused of "insulting Turkishness"—Hrant Dink, editor of the Armenian-Turkish newspaper *Agos*—was shot dead outside his Istanbul office.

Perhaps it is best that the Turkish historian Taner Akcam remain, at least for a while, at the University of Minnesota, where he teaches history. Pamuk referred to the genocide of the Armenians, but Akcam has documented it. *A Shameful Act* is an important work of record, comprehensively chronicling the destruction of the Armenians, its causes, unfolding and consequences. Richly sourced, Akcam's book utilizes Ottoman materials and archives as well as American and German documents. He writes: "What remains in the Ottoman archives and in court records is sufficient to show that the CUP [Committee of Union and Progress, *aka* Young Turks] Central Committee, and the Special Organization it set up to carry out its plan, did deliberately attempt to destroy the Armenian population."

Here, at least, there seems no doubt about the question of genocidal "intent." Akcam swiftly demolishes the argument that Armenians were slaughtered because they had organized an uprising against the authorities. What resistance there was came about because of the deportations, not the other way around. The uprising in Urfa in October 1915, for example, was launched by Armenians deported from Van and Diyarbakir, since Urfa was a stop on the deportation route.

Yet the genocide of the Armenians, as horrific as it was, was not an end in itself, Akcam argues. It was part of a process of "homogenizing" the new Turkish state-to-be. Kurds and Arabs, Greeks and Assyrians, were also ethnically cleansed at this time, although not exterminated. This process was completed in 1923 when Greece and Turkey compulsorily swapped their minorities, thus uprooting perhaps 2 million people from the homelands where they had lived for centuries. Just as Milosevic's Greater Serbia could be built only on the ashes of multiethnic Yugoslavia, so the new state envisioned by the Young Turks demanded the destruction of the multinational Ottoman Empire—an empire that, for all its faults, had allowed different communities and minorities to live alongside one another for centuries.

In *Terrible Fate*, Benjamin Lieberman also traces the rise of ethnic cleansing and mass murder to the collapse of empire: "As empires broke apart into nation-states, processes of ethnic cleansing and even genocide moved or eliminated many of the people who had once lived under imperial rule." The great merit of the Ottoman and Austro-Hungarian empires was that they were not nation-states but a diversity of nations with a common citizenship. But what was once their strength also doomed them, for Vienna and Constantinople had no means of accommodating the rise of nineteenth-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century nationalism, whether Hungarian, Serbian, Greek or Arab. Lieberman, a professor of history at Fitchburg State College in Massachusetts, has written a lively, panoramic work with a fine eye for the human story. Using contemporary accounts, eyewitness statements and diplomatic records, he examines the Balkan wars of the late nineteenth century, the two world wars, the Holocaust, the mass deportation of the Germans from Eastern Europe, the collapse of Yugoslavia in the 1990s and the continuing fallout of the Ottoman Empire in Israel-Palestine, Cyprus and Iraq.

Lieberman argues persuasively that an intellectual focus on ethnic cleansing, rather than nation-building, generates a dramatic shift in our understanding of contemporary history. Ethnic cleansing has repeatedly proved a necessary component of twentieth-century nation-building: "The story of the rise of the nation-state, a triumph of self-determination, becomes a story of tragedy for those who were driven out." Among his examples is the Palestinian exodus of 1948, and the creation of the State of Israel. Historians still argue vociferously over how many Palestinians were expelled, evacuated or simply fled in panic. Lieberman sidesteps this, arguing that their exodus was not unique. Quite the opposite, in fact: "The Arab departures from Israel seem mysterious only if viewed in isolation from all comparable examples. Ethnic war in other former Ottoman regions had displaced entire peoples, and ethnic war in Israel and Palestine had much the same effect, though this war left some Arabs in Israel."

Lieberman writes movingly about one of the least reported instances of ethnic cleansing in modern history: the expulsion of the ethnic Germans of Eastern Europe after the defeat of the Third Reich. Perhaps 12 million people fled or were ethnically cleansed, the single largest population movement in modern European history.

For years this remained a taboo subject inside Germany, the preserve of right-wing expellees' groups, and even now it remains delicate. Günter Grass's 2002 novel *Crabwalk*, which recounts the sinking of the German refugee ship Wilhelm Gustloff in January 1945, finally forced the *Volksdeutsch* exodus into the public arena. But in neighboring countries there is a sense that the ethnic Germans got what they deserved. The Germans of the Sudetenland had ushered Hitler's army into Czechoslovakia. The Swabians of Hungary helped keep the country's wartime ruler, Adm. Miklós Horthy, in the Axis when he began to waver and consider joining the Allies.

Yet how many of the *Volksdeutsch* were guilty of war crimes? The exodus brought to an end historic European communities: The Saxons of Romania, the Danube Swabians and the Prussians of the Baltic coast have now all but vanished. The victors were sometimes murderous: Czech soldiers seized a train filled with German refugees, ordered them off and shot 265 of them. In Komotau, in northwest Bohemia, Czech forces ordered the entire male population aged between 13 and 65 to the town square and made 100 men remove their clothes, sing the German national anthem and proclaim, "We thank our Führer." A dozen or so were then beaten to death.

Encouraging the slaughter of American Indians, Thomas Jefferson said, 'They will kill some of us; we shall destroy all of them.'

Almost fifty years later, in 1992, similar atrocities were taking place in the Serb concentration camps of northern Bosnia, such as Omarska and Trnopolje. The same sentiments were used to justify them. "They had committed war crimes, and now it is the other way around," proclaimed Milan Kovacevic, who ran Omarska. "They" were Croats and Bosnians, and the "war crimes" had been committed during World War II. As a baby Kovacevic had lived in Jasenovac, the main Croatian concentration camp; as an adult he was running one, Michael Mann observes. Like Lieberman, Mann, a professor of sociology at UCLA, has written a broad study of genocide and ethnic cleansing, including the Armenian genocide, the Holocaust, the Yugoslav wars and Rwanda. But *The Dark Side of Democracy* is drier and more theoretical. Mann begins his work with eight theses. Some merely state the obvious in academic language: "stably institutionalized democracies are less likely than either democratizing or authoritarian regimes to commit murderous cleansing," which is hardly news, and "Regimes that are actually perpetrating murderous cleansing are never democratic, since that would be a contradiction in terms." His core argument is that murderous ethnic cleansing results from a confusion of democracy with the demands of the dominant ethnic group in extreme conditions. Thus "*ordinary people are brought by normal social structures into committing murderous ethnic cleansing*," assuming that "ordinary" does not mean having an innate lust for killing. But this seems less an argument about the dark side of "democracy" than about mob rule. At times Mann's book reads like a thesis in search of a reality. Democracy means more than a simple parliamentary majority. It demands stable, independent institutions, the rule of law and an independent judiciary, all of which help prevent mass murder.

Mann writes perceptively of what he calls "genocidal democracies in the New World," including Spanish Mexico, Australia and German South West Africa, where genocide occurred in the midst of struggles between colonists and natives over resources. He is strong on the United States's own genocidal history. This country, after all, was founded on the deliberate destruction of its indigenous inhabitants and their communities. Thomas Jefferson, its third President, drove his compatriots on to slaughter the American Indians. "In war," Jefferson declared, "they will kill some of us; we shall destroy all of them." And so they did, quite quickly. Between 1848 and 1860 the Indian population of California fell from 150,000 to 31,000, with most casualties caused by disease, starvation or deliberate killing.

One of Mann's most interesting chapters looks at Stalin, Mao and Pol Pot and what he calls "classicide," the elimination of the bourgeoisie as these dictators struggled to impose a "revolutionary vision of a future industrial society" on an agrarian one. Mann argues that both "radical ethnonationalism" and "revolutionary Communism" fostered organic ideas about "we, the people," whether as a nation or a class. And both legitimized mass slaughter as part of that group's mission. This is an important point, and Mann makes it well: A powerful sense of collective identity, no matter how inorganic or manufactured, seems a vital precondition for the group to undertake its genocidal "mission" and to view it as legitimate.

Mann is wrong, however, to argue that ethnic cleansing is "essentially modern." It is true that cheap and effective weaponry—none more so than the AK-47 assault rifle—has increased the number of victims and the frequency of conflict. But ethnic cleansing and genocide are arguably merely modern terms for one of humanity's oldest—and cruelest—pastimes. As long as humans have sought control

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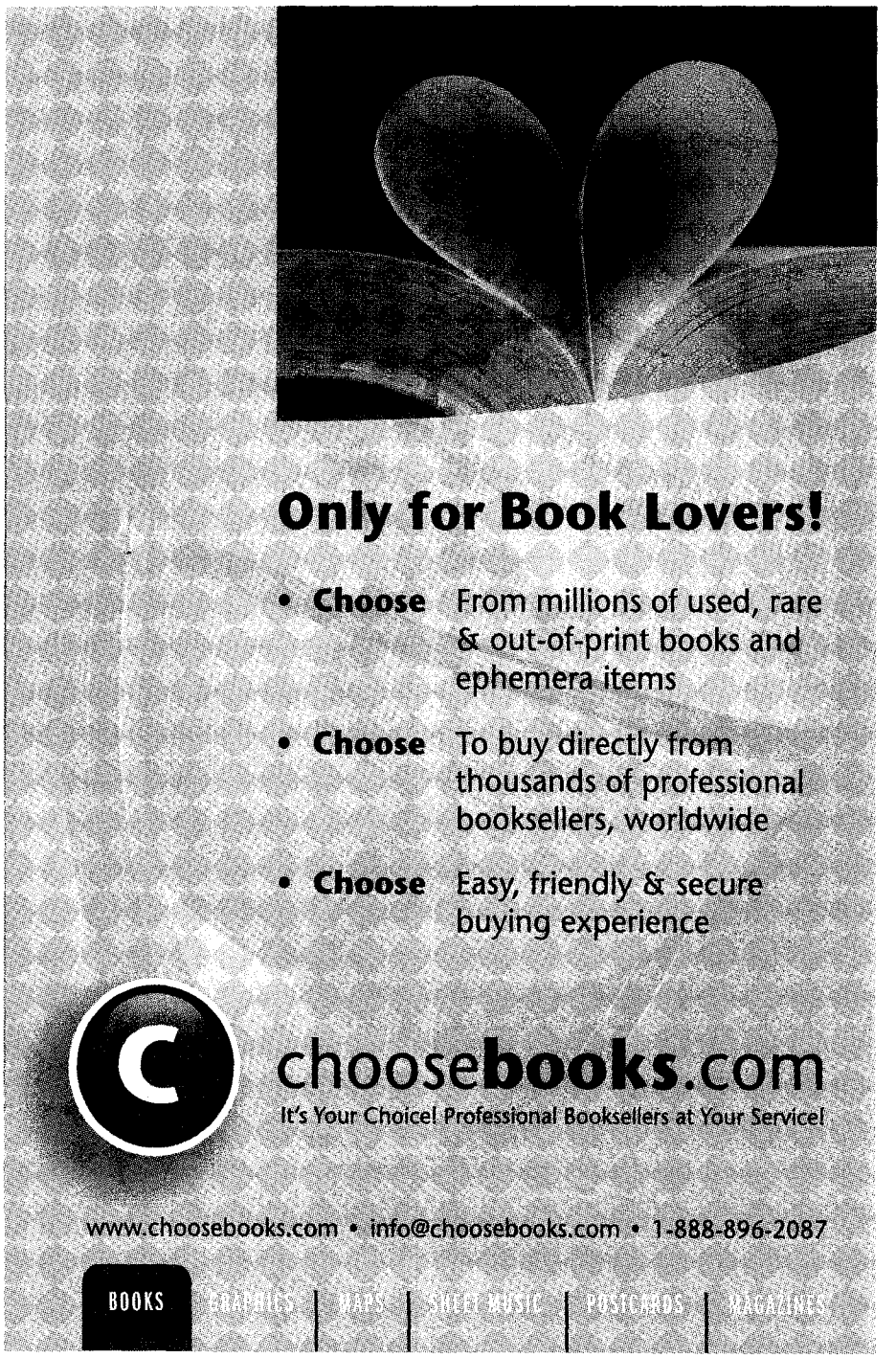
over resources such as land, water and food supplies, they have been prepared to kill and lay waste to defend their assets. As Mark Levene writes: "The path to genocide is in part, deeply embedded in the human record and...facets of it are actually very evident in ancient, classical, as well as more recent, pre-modern times." Consider God's instruction to the twelve tribes when they arrived in what would become the land of Israel, as recorded in Deuteronomy 7:1 and 7:2:

> When the Lord thy God shall bring thee into the land whither thou goest to possess it, and hath cast out many nations before thee, the Hittites, and the Girgashites, and the Amorites, and the Canaanites, and the Perizzites, and the Hivites, and the Jebusites, seven nations greater and mightier than thou;
>
> And when the Lord thy God shall deliver them before thee; thou shalt smite them, and utterly destroy them; thou shalt make no covenant with them, nor shew mercy unto them.

Not only should the indigenous people be "utterly destroyed"; it was also forbidden to marry either their sons or their daughters. King Saul was commanded to wipe out the Amalekites, "man and woman, infant and suckling, ox and sheep, camel and ass." The Israelites—if these accounts are accurate—were hardly unique in their enthusiasm for smiting their enemies. As Levene notes: "This was clearly an ancient Near Eastern norm." Levene, who teaches history at the University of Southampton in Britain, has published the first two volumes of an ambitious four-volume study, *Genocide in the Age of the Nation State*. This is a discursive rather than a chronological or episodic work. Levene argues that the centrality of the Holocaust has warped scholarly priorities by obscuring the linkage between the extermination of the Jews and earlier genocides. The Holocaust was unique in its industrialization of mass murder but was also part of a grim historical continuum. Hitler himself was well aware of the extermination of the Armenians. In his secret speech to Wehrmacht commanders in August 1939, Hitler lauded Genghis Khan's killing machine before asking, "Who still talks nowadays of the extermination of the Armenians?"

Levene suggests that the terror of the Jacobin era in Revolutionary France may be a prototype of later genocides. The thud of the guillotine was a necessary precursor of a sense of "nation-state oneness," in which all citizens enjoyed equal rights in a "new secular order" where disobedience, or exclusion, would be answered with death. This echoes Mann's arguments about the importance of communal identity, whether class or nation-based. But whatever the criteria for membership of the modern body politic, the wretched inhabitants of European colonies were not included. The contrast, Levene writes, between the absence of genocide in Europe before 1914 and "the crescendo of genocidal assaults in response to native resistance in Africa, Asia and the Pacific at the *fin-de-siècle* high point of the Western imperialist surge, is very noteworthy." These themes are examined in greater depth in Volume II, *The Rise of the West and the Coming of Genocide*. Here Levene ranges widely and insightfully, examining mass delusions, conspiracy theories, the rise and collapse of empires, and the cost of nationhood. Levene's predilection for academic base-touching and extended definitions of terms and arguments may prove tiresome for the nonspecialist reader. Nonetheless, if the following two volumes maintain the standards set here, his series will be a major contribution to the field of genocide studies.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Does it matter, then, whether General Krstic or Momcilo Krajisnik is found guilty of genocide rather than ethnic cleansing? Perhaps not. For despite Lemkin's codification and subsequent international jurisprudence, genocide, arguably, is not a distinctive phenomenon but merely the ultimate conclusion of ethnic cleansing, itself an age-old custom of human history. We may now be socialized not to kill, but many of us can also be reprogrammed without too much effort. In Warsaw in 1941, or Vukovar in 1991, the veneer of modern civilization was thin and easy to shatter. A manufactured sense of threat, a spreading sense of fear, the use of the broadcast media to spread hate and issue instructions, the identification of those with different surnames or religious faiths as a dehumanized "other," the provision of weapons—these are often sufficient to turn a proportion of everyday people into killers and torturers. Milan Kovacevic, the commander of Omarska, was no uneducated brute. He was an anesthetist and the director of Prijedor hospital. He later said: "What we did was not the same as Auschwitz or Dachau, but it was a mistake. It was planned to have a camp for people, but not a concentration camp.... I cannot explain the loss of control.... You could call it collective madness." Kovacevic was eventually indicted for genocide and arrested. He died peacefully in his cell at the UN detention center in 1998. But even now, in Darfur, the collective madness continues. As Taner Akcam argues: "Every group is inherently capable of violence; when the right conditions arise this potential may easily become reality, and on the slightest of pretexts. There are no exceptions." History, and today's headlines, prove both Kovacevic and Akcam right. ■

The Things They Carried

MARIA MARGARONIS

THE BASTARD OF ISTANBUL. By Elif Shafak. Viking. 357 pp. $24.95.

Armanoush Tchakhmakhchian, also known as Amy, likes to spend her evenings in an Internet chat room called Café Constantinopolis, "designed by a bunch of Greek Americans, Sephardim Americans, and Armenian Americans who...all were the grandchildren of families once based in Istanbul." It's here that she first learns, from one Baron Baghdassarian, about the Janissary's Paradox, the choice that faced young Christian boys taken by the Ottoman state and given the chance to rise in the imperial capital so long as they forgot their history and their faith. "You the child of expatriates!" admonishes Baron. "You need to ask yourself this age-old question time and again: What will your position be with regards to this paradox; are you going to accept the role of the Janissary?"

The question, posed in Elif Shafak's new novel, *The Bastard of Istanbul*, will be familiar to every child of immigrants; for the expatriate writer it brings a particular set of literary choices. The imperial capital offers some preferment for intimate stories in English about one's community of origin: David Bezmozgis, Aleksandar Hemon, Bharati Mukherjee, Panos Karnezis and recently Yiyun Li have all been successful in this way. But the greatest prizes are still reserved for the descendants of Rushdie's *Midnight's Children*: big novels where the characters represent some aspect of the history of a people or the experience of migration, and where the tricks and mirrors of postmodernism reflect the writer's cultural ambivalence. As Ömer, a Turkish student, says in Shafak's previous book, *The Saint of Incipient Insanities*, "When you are a foreigner, you can't be your humble self any more. I am my nation, my place of birth. I am everything except me."

Shafak knows what it is to be impaled on the Janissary's Paradox. Born in France to Turkish parents and raised in Spain by her diplomat mother, she now divides her time between Istanbul and the University of Arizona, where she teaches in the Department of Near Eastern Studies. Her first four novels, written in Turkish, were highly praised in her home country; her switch to English for *The Saint of Incipient Insanities* was viewed by some as a cultural betrayal. *The Bastard of Istanbul*, also written in English but published first in Turkey, takes on the most bitterly contested moment in her country's history: the deportation and systematic massacre of the Armenians by the Ottoman state during World War I. The Armenian genocide is still officially denied in Turkey; the subject has become a battleground in the culture war between liberal intellectuals and the nationalist right. The novel led to Shafak's indictment for "insulting Turkishness" under a recent law that was also used against Nobel laureate Orhan Pamuk. She was acquitted, but the war is not only symbolic. Since the assassination this January of Hrant Dink, a liberal Armenian-Turkish editor convicted under the law, Shafak has lived under police protection in Turkey and all but canceled her American book tour.

Shafak has always been drawn to the margins and hidden pockets of Turkey's history. Her first two (untranslated) novels were about Sufi mystics and Sephardic Jews. *The Flea Palace* explores the life of a run-down Istanbul apartment building; *The Gaze* is a baroque extravaganza spanning several centuries, theoretically tied together by the idea of the female body seen through men's eyes. Though full of startling images and wild invention, these books are heavy going, at least in translation. Like Pamuk, whose influence is evident in her formal games and cool, authoritative storyteller's voice, Shafak makes few concessions to the reader's wish for emotionally engaging characters or narrative momentum. The metaphors and fables and digressions pile up endlessly, as if the writer were afraid of silence, nervously twirling and performing on the page to dazzle and impress.

But when she drops her guard she can cut straight to the heart. Near the end of *The Gaze* we enter the mind of a little girl who puts ground glass in the dumplings and hangs the neighbor's cat from a branch of the cherry tree; gradually we learn that she's been orally raped in the coal shed at the back of her grandmother's garden. The telling is restrained, locked up inside the child's imagination, threaded through with the color of blood and illicitly eaten cherries. Whatever its origins, this haunting story holds the roots of Shafak's recurring themes: guilt and the dark side of women's pleasures; double selves; food and bulimia; memory and forgetting.

Shafak first came to America in 2002; *The Saint of Incipient Insanities*, published two years later by Farrar, Straus & Giroux, was a dizzyingly energetic assault

Maria Margaronis writes from The Nation*'s London bureau.*

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on her new language and culture. Peppered with expensive words as well as sentences that aren't quite English, the novel hurls itself against the solipsism of America, as seen by a charmingly neurotic group of foreign students. The book is a mess, but in a cheerful, slapdash way, as if the language had unleashed some comic genie inside the author's head. Its satirical riffs are pleasingly poison-tipped, and the comedy is backed by an unyielding bleakness, an absolute refusal of nostalgia. Through the story of a pair of mismatched lovers—Ömer from Istanbul and Gail, formerly Zarpandit, a brittle, Zizek-reading Jewish girl obsessed with chocolate—we come to see that the immigrants' sense of being "in between" is not just cultural: It is a form of the existential vertigo that makes Gail throw herself, on her first visit to Istanbul, from the Bosporus Bridge, halfway between the European and Asian shores.

Shafak's first foray into English fiction reads a bit like a defensive strike: Look, here I am, ready to pin you down before you can mispronounce my name, streets ahead of all your expectations. *The Bastard of Istanbul*, for all its flaws, is a braver and deeper book. Shafak has used the familiar form of the diaspora family saga as an asbestos glove with which to grasp the afterlife of the Armenian catastrophe. Her novel features the requisite cast of colorful female characters, elaborately described meals (the chapters are named after foods), fragments of folk tales, improbable coincidences and even a recipe for the Turkish sweet ashure. ("I feel like I am in a Gabriel García Márquez novel," Armanoush types to her buddies in the Café Constantinopolis.) The pace and showiness of this kind of fiction doesn't allow for very much imaginative empathy, but in her struggle to inhabit her material, Shafak begins to become a different kind of writer, less facile, more attentive to uncertainty.

The novel's Turkish and Armenian threads are carried by two young women, Asya and Armanoush, who are in many ways each other's mirror image. Asya Kazanci is the bastard of the title; the novel opens with her mother, Zeliha, mysteriously failing to abort her. Both Asya and Zeliha are familiar from Shafak's earlier fictions: brash, brittle women, in your face and "fragile as a tea glass." They live in Istanbul with Zeliha's three sisters, mother and grandmother, all broadly drawn in mildly satirical tones, each one representing some aspect of Turkish identity. In the Kazanci family the men always die young; the only son, Mustafa, has been

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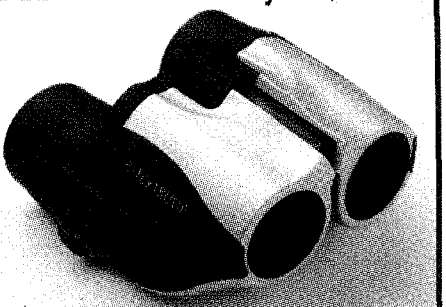

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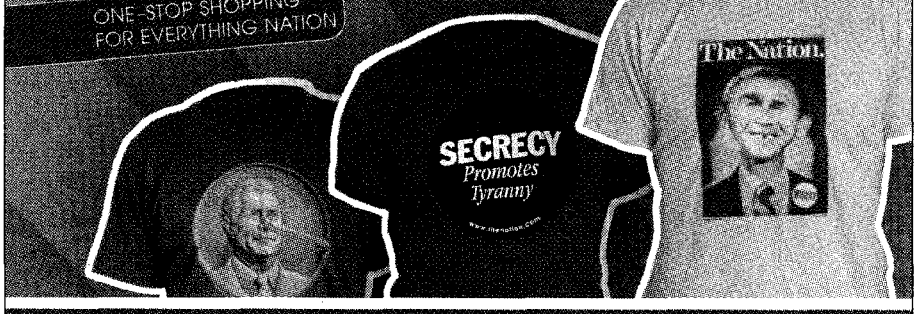

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sent to America to escape his fate. There he marries Rose, a ditzy American woman with bulimic tendencies who seduces him to spite the family of her Armenian-American ex-husband, Barsam Tchakhmakhchian—the father of her daughter, Armanoush.

The Tchakhmakhchian clan, living in San Francisco, is similarly lightly sketched (no mean feat for an outsider, let alone a Turk), and their commitment to the memory of suffering, although not disrespected, is understood as a part of their immigrant identity:

> What will that innocent lamb tell her friends when she grows up?... My name is Armanoush Tchakhmakhchian, all my family tree has been Something Somethingian, and I am the grandchild of genocide survivors who lost all their relatives at the hands of Turkish butchers in 1915, but I myself have been brainwashed to deny the genocide because I was raised by some Turk named Mustafa! What kind of a joke is that?

At the same time, the parallels between the Turkish and Armenian matriarchies are constantly underlined (they eat the same foods, slightly differently spelled), and when Armanoush grows up, her love for her father's family, especially her grandmother Shushan, leads her to go looking for the missing part of herself in the Café Constantinopolis. Shafak describes Armanoush's search for her roots with gentle sympathy; it is as if, in writing about the daughter of an oppressed minority, she can allow herself to express nostalgia for her own Turkish childhood. Armanoush takes a test on the web to measure how Armenian she is and scores full marks: "If you grew up sleeping under hand woven blankets or wearing hand woven cardigans to school.... If you have had (or are planning to have) a nose job.... If your dad still peels oranges for you, no matter what age you might have reached...."

Without telling her parents, Armanoush flies to Istanbul in order to find her past and stays with the Kazancis. Auntie Cevriye, the resident nationalist, expects Asya to represent her people to the American girl: "The Westerners need to see that we are not like Arabs at all.... The Americans have mostly been brainwashed by the Greeks and the Armenians who unfortunately arrived in the United States before the Turks did." But Asya herself—rebellious, brooding, Johnny Cash–obsessed—intends nothing of the kind. She and her friends at the Café Kundera (so named because "this spot in space was nothing but a figment of his flawed imagination") are intellectuals, unmoved by the Ottoman past or their country's forward march. The "real civilization gap," says Asya's married lover, is not between East and West but between "the Turks and *the* Turks":

> What is left for us?... Where can we possibly escape to? Nihilists, pessimists and anarchists are not regarded as a minority, although we are an extinct species.... Everyone but us is obsessed with entering the EU, making profits, buying stocks, trading up their cars, and trading up their girlfriends.

Through the Kazanci family and the habitués of the Café Kundera, Shafak has herself contrived to represent her nation to the Americans, though not in the way that Auntie Cevriye would like. At the same time, in writing about the Armenians, she has set out to represent her nation to itself. It is here that the novel faces its hardest test, both as a political intervention and as a work of art.

Armanoush's family is obsessed with memory; the Kazancis are committed to forgetting: "The past is nothing but a shackle we need to get rid of. Such an excruciating burden." When Armanoush drops the bombshell of her Armenian ancestry (with unconvincing haste), the Kazancis react with bland incomprehension. "Tell me, is it true that System of a Down [an Armenian-American band] hates us?" asks Asya; Zeliha remarks on the similarities between Turkish and Armenian names. As Armanoush bluntly relates her family's tragic story, the disconnection persists. "Who did this atrocity?" asks Auntie Cevriye. "What a shame, what a sin, are they not human?" adds Auntie Feride. Armanoush realizes what she's up against:

> Slowly it dawned on Armanoush that perhaps she was waiting for an admission of guilt, if not an apology. And yet that apology had not come, not because they had not felt for her, for it looked as if they had, but because they had seen no connection between themselves and the perpetrators of the crimes.

Ironically, in the Café Kundera, where Asya shows off her controversial friend, the response is less equivocal: "The word *Armenian* wouldn't surprise anyone at Café Kundera, but *Armenian American* was a different story.... *Armenian American* meant someone who despised the Turks." All heads turn toward Armanoush; needled by Asya, somebody takes offense and

The Children's Museum

It's hard to know whether today or yesterday was the full moon;
excitement isn't rigorous. It's just river-silvering

blent with the odor of silt where the roofs spike
along a repurposed waterfront.

A beach ball floats above the pressurized stream;
it is disequilibrium that keeps it there. Soap's expressed

as blisters when even gravity works backwards
at the limit of the ball held upside down inside the loop.

Rewards in a game they play against themselves
—"Fancy *curtseying* as you're falling through the air"—

the shade breaks up beneath the oaks
tithing their gifts against the curriculum

of an armed galaxy. It slides into focus for the instant
I'm brrr, blurred.

Ange Mlinko

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gives the official line: It was a time of war, people died on both sides. A fight briefly breaks out before ennui is comfortably restored.

Shafak is careful to sketch in the different shades of Turkish defensiveness, as well as to consider what responsibility we bear for our fathers' crimes, especially when the wound has outlived the perpetrators. She is less nuanced—understandably, perhaps—on the feelings of the Armenians. In the chat room of the Café Constantinopolis, Asya asks the irate Armenian-Americans what, as an ordinary Turk, she can do to ease their pain. Implacable at first, one of them says she must apologize in front of the Turkish state, before Baron Baghdassarian cuts the discussion short:

> Some among the Armenians in the diaspora would never want the Turks to recognize the genocide.... Just like the Turks have been in the habit of denying their wrongdoing, the Armenians have been in the habit of savoring the cocoon of victimhood. Apparently there are some old habits that need to be changed on both sides.

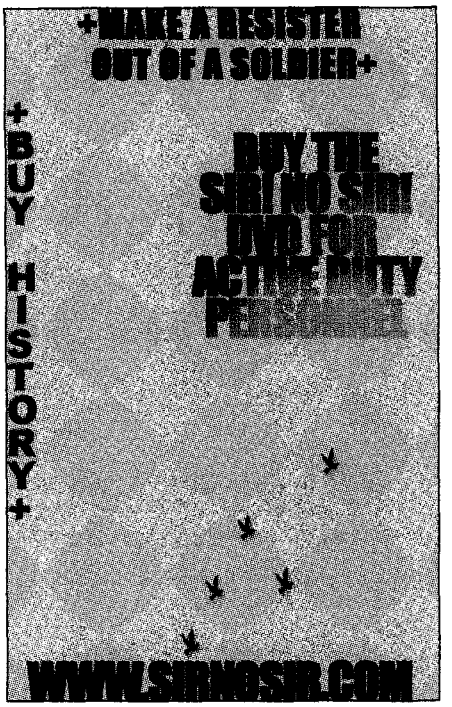
These are mature and necessary sentiments, but they sidestep Asya's difficult question about reparations. Shafak knows that; she also knows that a novelist's way of owning responsibility for someone else's suffering might be to try to enter into it imaginatively. And so she reaches for the wand of magic realism, brings on a literal genie or two, and makes the clairvoyant Auntie Banu conjure up Armanoush's ancestor, Hovhannes Stamboulian, inside a silver bowl of consecrated water.

Over the course of *The Bastard of Istanbul*, the writing becomes more fluid and more confident. The nervous tics that clutter Shafak's earlier prose—the riffs and lists, digressions and repetitions—begin to make way for richer characters: Asya's grandmother as a young married woman in the early days of the Turkish Republic; gentle Aram, Zeliha's Armenian lover in Istanbul. Hovhannes Stamboulian is almost one of them, as he strokes the walnut desk where he writes his Armenian folk tales and feels its glossy surface "glide under his fingers," as he worries about his wayward eldest son. The sergeant who comes to take him away is well imagined, too: "There was no discernible hostility in his voice but no empathy either. He sounded as if he was tired, and whatever the reason he was here for, he wanted to be done as fast as possible and be gone."

And yet there's something about this scene that feels too easy, that will not quite do. Partly it's the folkloric poeticism of the tale Hovhannes is writing, about a pigeon and a pomegranate tree. Partly it's the veiled beauty of the telling. Partly it's the way we are rushed through the grimmest events, so that the forced march of the Armenian deportees is given in one sentence stretched over half a page. Again, Shafak is aware of the problem: When Auntie Banu averts her eyes, the genie harangues her with more details about lice and orphanages. Wondering whether she will ever tell Armanoush what she has learned about her family's past, Auntie Banu returns us to the novel's persistent question: What is the use of remembering? What is knowledge good for if you can't change anything?

The question is not unreasonable, but in the context of this book it feels like a small evasion, as if the author had conflated a literary problem with a moral, historical one. You feel that Auntie Banu turns away not because she can't bear what she's seeing but because the writer is in a hurry to move on. The form Shafak has chosen for her novel is in part to blame, for how could anyone imagine the experience of the Armenian genocide inside a single chapter of a noisy family saga, packed with meals and quarrels and satirical vignettes? Such things require time and patience, the willingness to stay inside a situation until it has given up all its most painful secrets; these are not qualities Shafak has cultivated.

After these difficult passages the novel races with relief toward its end. The historical primal scene is displaced by a personal one in which the young Zeliha is raped by her brother Mustafa; revenge, of sorts, is served and eaten cold. The Turkish and Armenian families turn out, through a neat coincidence, to be intimately linked. The prose reverts to the style of Shafak's earlier work, which tends to value ideas over emotional realism, breadth and speed over depth and concentration. In political terms, *The Bastard of Istanbul* is a brave, ambitious book, speaking honestly both to Turkish nationalists and to Armenians in diaspora. As a novel, though, it never quite transcends its programmatic conception. For all her public fearlessness and her ferocious talent, Shafak has yet to find the quieter courage needed to let her inventions surprise her and come to life. ■



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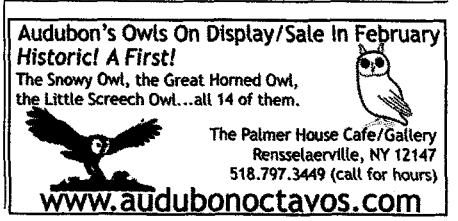
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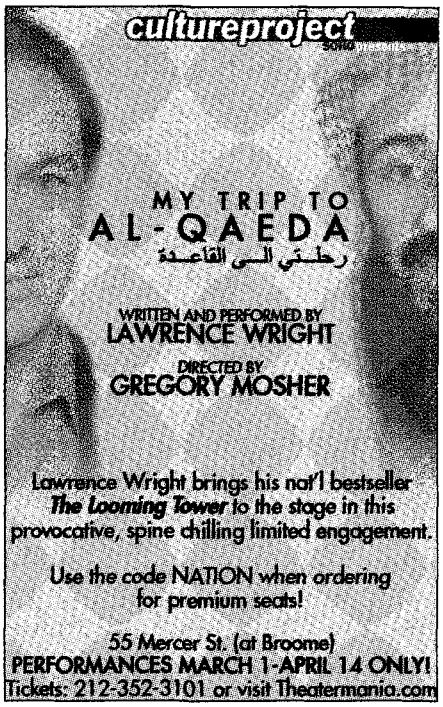

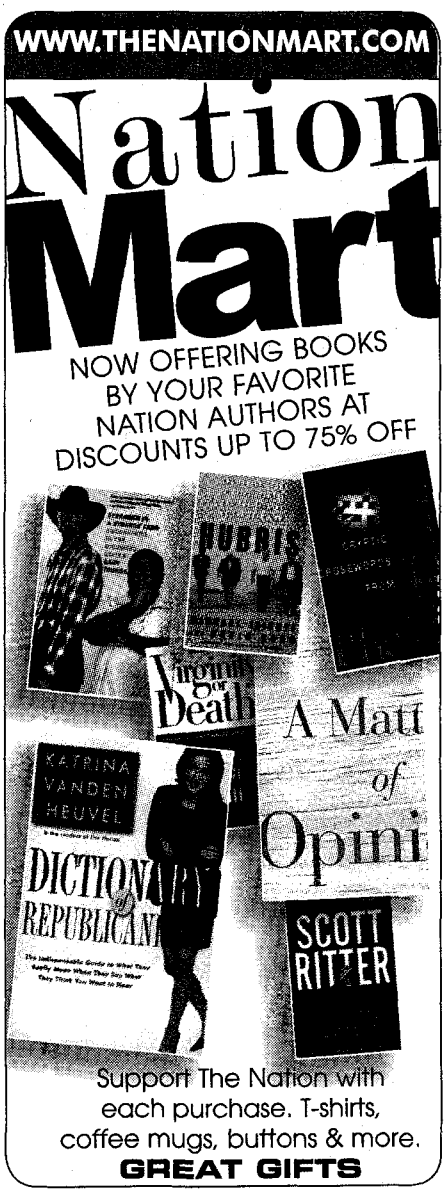

The Anatomy of Fear

D.T. MAX

WISH I COULD BE THERE: Notes From a Phobic Life. By Allen Shawn. Viking. 267 pp. $24.95.

Allen Shawn, son of the great *New Yorker* editor William Shawn, teaches music at Bennington College and is an authority on Schoenberg. He is also agoraphobic. Because of his phobia, first felt in his teens, he can only drive familiar roads; when he wants to walk across an open field, it can take him hours; he is afraid of parking lots, bridges and heights.

In this affecting memoir, Shawn chronicles forty years of life with the monkey in his brain, a personal history of constricted throats and racing hearts. He also goes further, trying to wrest some sense out of this irrational and dramatic mental miscue. For this larger goal, Shawn draws on not just memoir but psychology—everyone from Freud to behaviorists to evolutionary psychologists—as well as neuroscience. He asks not just why but how. Shawn—paradox—covers a great deal of ground in these pages. But for me what touches most is the memoir aspect of *Wish I Could Be There*. The title is telling: Phobias are never just private torments; they are social disasters. *Poor Allen, if only he could come.* Shawn movingly details the distorting effect of phobias, the way the phobic strives simultaneously to maintain normality and avoid setting off the trip-switch in his brain. He takes along pills and paper bags to control his breathing when he travels. "All this would be funny were it not sad," Shawn writes in his introduction. But it is sad, and *Wish I Could Be There* conveys that. Shawn is a gentle, affable writer. Despite setbacks he pushes on, reminding me what he has been made to give up. The relationship that torments Shawn most is with his twin sister, Mary, his best friend from early childhood who, institutionalized since they were children, might as well live on another planet.

An estimated 19 million Americans are phobic, and Shawn's agoraphobia is just one of the hundreds of phobias that we, inventive creatures that we are, experience, from siderophobia (fear of the stars) to eisotrophobia (fear of looking in the mirror) to phobophobia (fear of fearfulness). Phobias are themselves silent and invisible. They reveal themselves only under a triggering condition, when they show up as panic attacks. In a panic attack the sufferer can't breathe and fears passing out. He is certain that if not allowed out of the situation he will die. And yet it is all in his or her mind: There is nothing going on. The phobic lives in a Bruegel painting: He suffers while all around him others are untouched. Phobia is not intense worrying or heightened anxiety; it is a kind of insanity that lurks in your mind and seizes you. Despite claims to the contrary, my own experience is that there is no cure.

Phobias are not off the rack but custom made. I was for a time phobic about snow. I knew someone who couldn't stand the noise from a radiator. By now Shawn's phobia is ornate and general. It has annexed aspects of claustrophobia too—he is afraid of elevators, planes and subways. Phobias crave explanation. What every phobic really wants to know first is, *Why me?* Shawn is no exception, seeking in the internal life of his family the origin of "the guardrails, barriers and restrictions that have warped my life." "Reconstructing my hemming in is not simple," he notes. Shawn believes his father was an undiagnosed phobic. He remembers "the strange, sad, and doom-laden expression on [his] face when our family car passed through a deserted mountainous area or an expanse of empty land, as if the shadow of death were passing over him." The famous *New Yorker* editor could not take automatic elevators, and he found comfort from repeating his actions.

His son also finds hints of mental problems in his mother (the phobic autobiographer, sharper than a serpent's tooth!)—she too avoided subways and tunnels. She had an outsized fear of weather and of bad things happening to her children. There was a nervousness to her before the world that Allen deems quasi-phobic. Indeed, part of Allen's story is about escaping her sometimes smothering grasp. Mary, who has been diagnosed as autistic, also appears to be a piece in the puzzle of Allen's condition. Phobias apparently sometimes run in families with autism.

D.T. Max is the author of The Family That Couldn't Sleep, *a cultural and scientific history of prion diseases, including fatal familial insomnia and mad cow disease.*

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The home Allen grew up in was not normal, agreed (whose is?). It had, as he says, "an across the board policy of secrecy." His father elevated discretion to a credo. He also, as has been written elsewhere, led a double private life, raising a second family with the writer Lillian Ross. He kept a second phone line for her calls and would sometimes duck out for a second dinner without explanation. Allen recounts this material in a flat, unemotional voice without using anyone's name, as if his father's blue pencil was reaching up from the grave. At work, as at home, William Shawn put up a lot of barriers. The *New Yorker* that he edited seems in retrospect the product of an agoraphobic—those closed columns of print, the rectangular ads that boxed them in, the absence of author identifications—is it a coincidence that this remarkable magazine was designed like a vault?

Certainly one can imagine all this making for a difficult childhood—it would explain why Allen might be a bit distant or self-aware or creative (all of which his prose suggests he is). But of course his childhood did not "make" him phobic, as he recognizes. He turns to medicine and psychology to extend his inquiry, from the existential idea that phobias are a response to our cosmic insignificance to neurology's diagnosis that they are nothing but the accidental triggering of neurochemicals at an inappropriate time, at least partially genetic in origin. He hopes that if phobias don't possess a mental logic, they at least possess a physical logic. Among the ideas that Shawn produces, the one that best jibes with my experience is the following: We phobics are some sort of evolutionary oddity, Pleistocene humans in the Holocene, ready to defend against long-extinct threats. "In that case neurotic anxieties would be no more than endowments from ancient times that had outlived their utility," Shawn posits. There is at least something comforting in thinking that we are not simply ridiculous.

But in the end it is a phobic's life properly recorded that is perforce most interesting, rather than a phobic's research about his disease. And the veteran phobic reader comes to recognize that our story is almost as codified as a coming-out: First are the early inclinations that you may be different, followed by unacknowledged early avoidance behavior and then finally the event that triggers full-blown separation from the majority. For Shawn that moment came when he was 17. Before then he was symptomatic, possibly because Mary had been sent off to an institution without his being given an adequate explanation. He already had a "terror of death" that woke him up in the middle of the night and left him yearning for light. He was not comfortable on subways. But the phobia was still feeling its way to the surface. Then he was stuck in two elevators in succession in New York. On a transatlantic liner he took soon after (he already avoided airplanes), he had "a panic attack almost every day." In a flash the world was changing. "The beautiful streets

EVENTS

INTERNATIONAL

Dubrovnik, Croatia

■ Transforming Culture: From Empire to Global Community. June 3–9, Dubrovnik, Croatia. Since the 2007 Praxis conference will be held in Europe, we will highlight some of the most advanced examples of cultural transformation and sustainability that are being practiced and developed in Europe today. From the Mondragon Cooperatives in Spain to alternative energy in Denmark, we will showcase projects that demonstrate seventh-generation, life-affirming values. The conference will feature outstanding thinkers and doers, practical workshops, networking, small groups cafe discussion and even vacation time in one of the world's most beautiful sites. Speakers include: Tom Hayden, Frances Moore Lappé, George Lakoff, Hazel Henderson, Thom Hartmann, Riane Eisler, David Korten, Johan Galtung, European members of Parliament and more. For more information, visit www.praxispeace.org—click on Dubrovnik Conference '07—or call (707) 939-2973.

NEW YORK

Robert Fisk

■ Lannan Foundation and The Nation Institute present an evening with the recipient of the 2006 Lannan Lifetime Achievement Prize for Cultural Freedom. In a rare New York City appearance, award-winning journalist Robert Fisk will discuss the politics, wars and civil upheavals of the Middle East. Fisk is the Middle East correspondent for the *Independent* (London) and author of *Pity the Nation* (Nation Books) and *The Great War for Civilisation* (Knopf). Fisk will be interviewed by Laura Flanders, host of Air America's *RadioNation*. March 4, 7 PM, The Town Hall, 123 West 43rd Street, New York City. Orchestra seats $10. Balcony seats $8. Available at The Town Hall box office (www.the-townhall-nyc.org) or at Ticketmaster: www.ticketmaster.com or (212) 307-4100. Funded by Lannan Foundation (www.lannan.org) Produced by The Nation Institute (www.nationinstitute.org).

Worker Education National Conference Call

■ Storming the Heavens: Worker education and social activism commemorating the twenty-fifth anniversary of the founding of the CUNY Centers for Worker Education. A conference for labor scholars, educators, trade unionists, current and former worker-students. June 1–2, 25 Broadway, New York City. Proposals are welcome for papers, presentations and panels exploring the history, politics and contemporary significance of worker education in the US and abroad. Teachers, staff and students in worker education programs are encouraged to contribute to the discourse reflecting their institutional and personal experiences and social impact. Labor scholars and trade unionists are especially encouraged to attend and/or participate. www.workereducation.org (212) 966-4014.

Politics and Paranoia

■ The Political Exploitation of Paranoid Anxiety. Friday evening, March 30, and Saturday, March 31, New York University and Cooper Union. Speakers: Slavoj Zizek, Noah Feldman, Avital Ronell, Todd Gitlin, Edith Kurzweil, Ashis Nandy and psychoanalysts from England, France and America. Interdisciplinary conference discusses sociopolitical and affective control in arousing paranoid anxiety through manipulating the media to maintain power relations. Relevant sociopolitical, legal, media and psychoanalytic perspectives aim to elucidate processes of political paranoia in different societies. Organized by National Psychological Association for Psychoanalysis and Asian/Pacific/American Institute of NYU. For information, registration, fees, contact: www.naap.org (Annette Overby Conference). (212) 741-0515.

TEXAS

Anti–Death Penalty Alternative Spring Break

■ Come to Austin, Texas, for a week of activism and education against the death penalty, March 12–16. The anti–death penalty alternative spring break event is open to both high school and college students. This is the place to be if you want to become a part of the next generation of human rights leaders. Go to the beach to change your state of mind for a week, come here to change the world forever. Students will participate in workshops led by experienced, knowledgeable presenters who will teach them skills that they can use to go back home and set up new anti–death penalty student organizations or improve ones that may already exist. The skills participants will learn can also be used in other issues besides the death penalty. During the week, students will immediately put what they learn into action during activities such as a Death Penalty Issues Lobby Day and a Direct Action Day. There will be opportunities to write press releases, speak in public, meet with legislators and conceive and carry out a direct action. Participants will come away with first-hand knowledge of the anti–death penalty movement and a new understanding of how they can affect public policy. The anti-death penalty alternative spring break event will be featured on *The Amazing Break*, an MTV show featuring alternatives to beer and beaches. There is no participation fee. Register at www.Springbreakalternative.org.

The advertising deadline for Events is every Thursday. Rates: $210 for 50 words; $260 for 75 words, additional words (above 75) $2.00 each. To place an ad, call Leigh at (212) 209-5414.

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of Paris suddenly began to look tenebrous and menacing," he writes. Another elevator closed on him there and wouldn't open, the coup de grâce to his normality.

Things got worse. Soon after, William Shawn had a heart attack. Allen's mother asked him to stay abroad so as not to frighten his father. This unleashed further panic attacks—a lifetime of trying to get free from domineering parents had become the ordeal of trying to reunite with them. He made the trip by airplane only with the help of a sedative. Phobia had carried the day. He can no longer take airplanes or the subway; rooms with sealed windows spin, meadows terrify. The nice times, the normal times, the spontaneous times—the travel, the freedom—are over. Something—his mind, his genes, chance—called him to a tighter, narrower life. Born, to paraphrase Job, as milk, he was now curdled like cheese. (Cheese, of course, has its merits—Shawn had a long marriage to the writer Jamaica Kincaid and raised two children; he has a girlfriend now and an active creative life.)

In the foreword, Shawn describes the form of his book—part scientific and cultural history, part memoir—as a "spiral or...like the overlapping connected folds of a brain." It reminds me more of a trick phobics use to stay sane. By constantly crossing and crisscrossing the same mental ground, we center ourselves. Puzzles are calming—you can identify the borderline phobics on an airplane by who is boring a hole through his acrostic—and this book has a bit of the shape of one. The book also has a noteworthy therapeutic aspect—one senses Shawn is writing to lessen his symptoms. *Wish I Could Be There* is an attempt at exorcism.

In one regard, at least, it succeeds. At book's end, he manages after countless rehearsals and two retreats to drive the few hundred miles from Bennington to a psychiatric institution in Delaware—New Jersey is his Rubicon—to see Mary for the first time in twenty-seven years. He is helped on the journey by a phobia specialist who advises: "Don't think your way into right action; act your way into right thinking." The meeting with his twin sister is touching and nutritive for the composer: One senses that Shawn wouldn't mind trading his angst-ridden existence for the softer tones that she hears. Being phobic is, among other things, enormously tiring. Shawn ends: "I had made an important step toward reconnecting with her. I had also made a step toward reconnecting with the fundamental truths of my life and toward finding the source of the 'piercing scream' I seem always to hear when there is nothing around to shield me from it." ■

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PUZZLE NO. 3073

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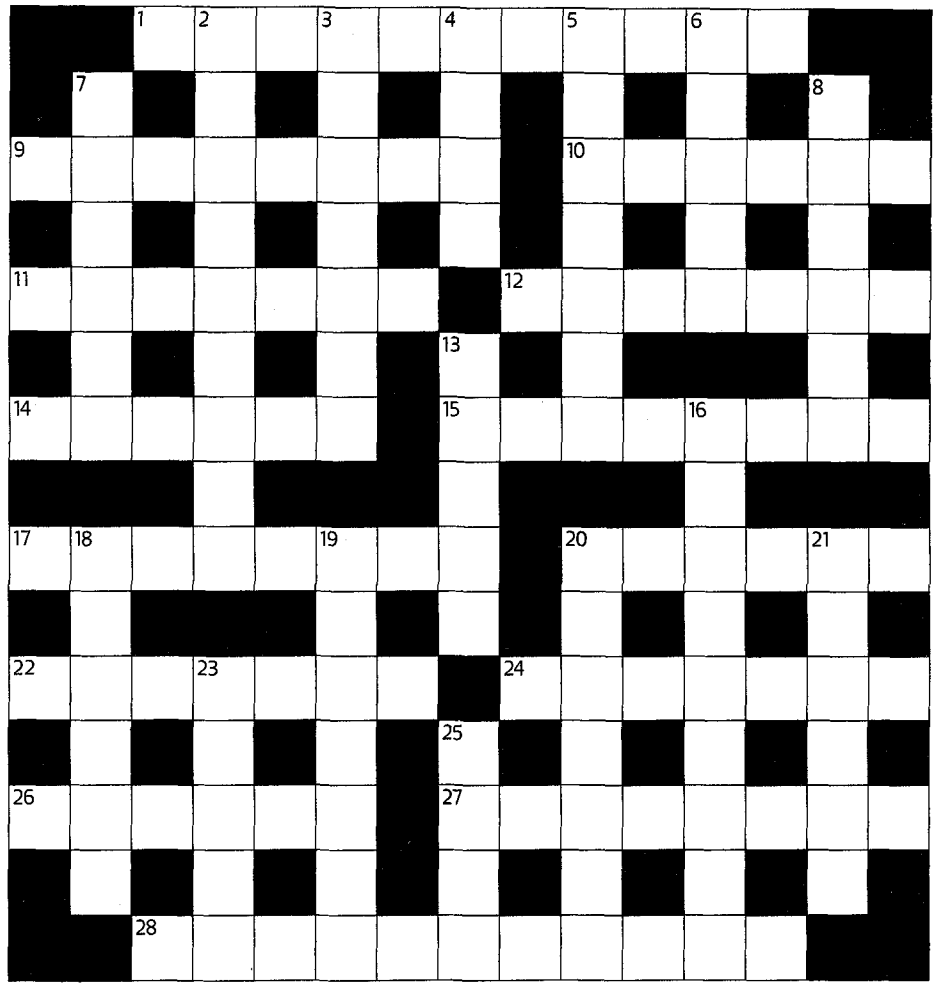

ACROSS

1 When what goes on top takes sick, it ends up with the infant of the zodiac. (We couldn't live without them!) (11)

9 Skits involving getting up in the air? (4-4)

10 Old ships used to be faked like this. (6)

11 Positively glowing, for Art and I make a new arrangement. (7)

12 What one should be doing in "Adeste" has a little trouble with the cartel. (7)

14 CARE product comes to Kentucky, briefly—sounding like a rusty hinge. (6)

15 Those in the know almost insist the German in it is responsible. (8)

17 A Cuban is mixed up, coming from the workshop. (8)

20 Like writers responsible for such as "Trees." (6)

22 and **25** down One that might have been associated with Goldilocks seems to be greyish. (7,4)

24 One could be the seventh inning type, for an extent of time. (The homey kind is the last bit.) (7)

26 My! It takes little work with a first-class return, but close-ups are necessary with such. (6)

27 Caught myself and the lady in the final stage. (8)

28 Put authors in a specific category, if they use such? You have to shift for them to make capital. (11)

DOWN

2 Race mania disturbed the artifacts that distinguish Columbia, as they say. (9)

3 Is babyhood located just in imagination? (7)

4, 13 and **20** The final try at getting rid of something—or just a desperate act? (4-5,7)

5 A decorated screen showing a couple of B's and some A's when you have three sharps in the key. (7)

6 What's the point to a wild rage, which describes the beaver at times? (5)

7 Sounds like a rather weird place to find odds and ends for sale. (6)

8 Not so chubby, but might represent a point the shoe-tosser deserves. (6)

13 See 4

16 It might help you hold your tongue, or just lower your spirits. (9)

18 The line-ups of a little railway say it's wrong. (6)

19 *The sign of 50 when surrounded by* the feral type gets to save the ship from the perils of the sea. (7)

20 See 4

21 The Spanish get a little cut first, but it's not worth much! (6)

23 Does it make the postal code seem full of pep? (5)

25 See 22 across

PUZZLED? No more cross words. If you don't see why "Lures" are "Ground Rules" send for those of Mr. Lewis to: Puzzled, The Nation, 33 Irving Place, New York, NY 10003, or access our website at www.thenation.com/about/crossword.mhtml.

SOLUTION TO PUZZLE NO. 3072

	S	T	A	B	S			T	R	Y	S	T	S	
A		H		I		A		T		E		A		I
C	L	E	A	R	U	P		H	E	A	D	M	A	N
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S	A	S	H	A	Y				A	S	C	O	T	

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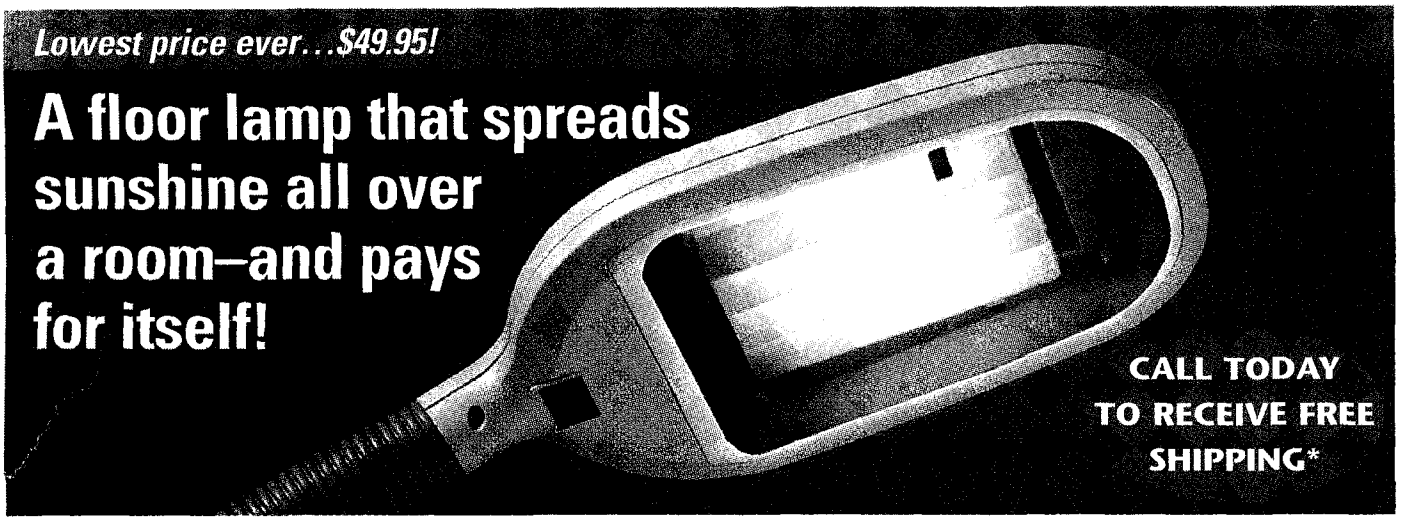

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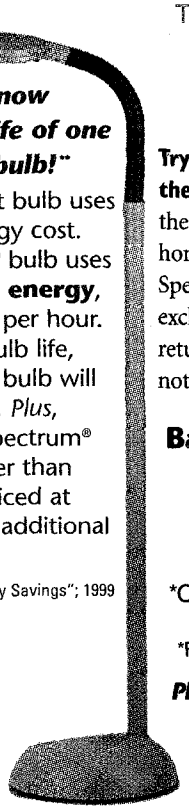
**Source: "Lighting the Way to Energy Savings"; 1999



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True or False?

❶ After 40, you will start to lose important memory and cognitive function. ❷ You will find it harder to recall names and phone numbers (or where you put your car keys). ❸ Thinking will take more effort. ❹ You will be less creative, suffer bouts of mental fatigue, "brain fog," insomnia, anxiety and depression. ❺ Your energy level will decline. ❻ You may also become grouchy, impatient, and increasingly intolerant of those around you. ❼ This is normal, inevitable, and irreversible.

Don't panic. Five years ago, those statements *were* true. But they're not true today – though many doctors still believe them – thanks to astonishing new discoveries about the way our brains age (*or don't*).

Scientists have learned that many brain disorders – once regarded as inevitable and irreversible symptoms of aging – are not inevitable or irreversible at all. Nor even age-related.

Which is good news for those in their 40s and 50s, not to mention those over 60 – in whose age group the prevalence of dementia (most commonly manifested as Alzheimer's) *begins to double every 5 years.*

Does this mean it is now theoretically possible to ward off – even reverse – the disorders listed above? The answer is yes. And it's not just "theoretically possible" – people are already doing it. You'll find out how (and how you can do the same) on a new audio CD set called ***Rejuvenating the Aging Mind***.

This audio edition of Gary Null's best-selling book on Mind Power reveals surprising new treatments, as well as long-overlooked foods, vitamins, and supplements that scientists have now recombined in powerful – and near-miraculous – new ways to help keep your brain sharp, youthful, vigorous, and creative into your 60s, 70s and 80s.

Rejuvenating the Aging Mind is yours free with a donation of any size to the Progressive Radio Network (PRN).

Sweeping aside decades of mis- (and dis-) information from 'Big Pharma' and the AMA, this CD set presents – not vague theories or New Age speculations – but verified clinical findings that may take decades to filter down to most doctors or finally appear as "news" on *The New York Times* Science page (too late to do you much good).

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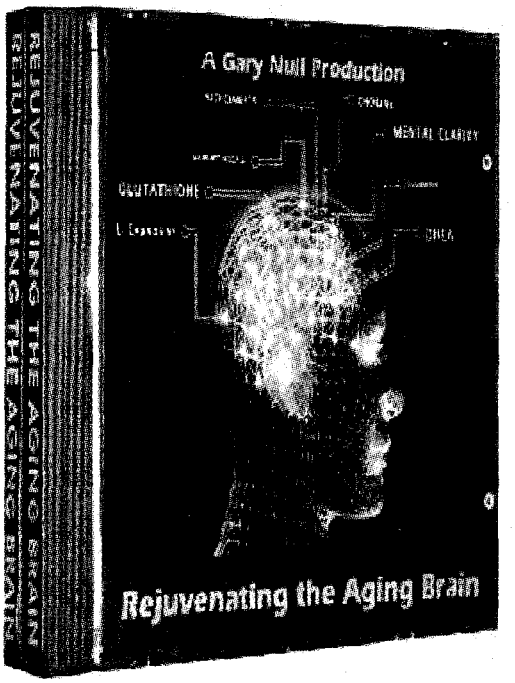

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